

LANSDOWNE
1801

ANECDOTES
OF
THE LIFE
OF THE
RIGHT HON. WILLIAM PITT,
EARL OF CHATHAM.
AND OF
THE PRINCIPAL EVENTS OF HIS TIME.
WITH
HIS SPEECHES IN PARLIAMENT,
FROM THE YEAR 1736 TO THE YEAR 1778.

SIT MIHI FAS AUDITA LOQUI.—VIRGIL

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ANECDOTES AND SPEECHES.

CHAP. XXX.

*Lord Bute resolves to change the Ministry again—
Disregards the Duke of Bedford—Tries to gain
Lord Temple—Meeting at Lord Eglintoun's—
Again tries to gain Lord Temple—Amuses Lord
Temple—Lord Strange's Assertion—Lord Rock-
ingham's request—Affair of Dunkirk—Negoci-
ation with Mr. Wilkes—Proposition for the Go-
vernment of Canada—Disapproved by the Chan-
cellor, who advises the King to send for Mr. Pitt.*

BEFORE the meeting of Parliament, the new ministry having shewn an inclination to reverse the system pursued by their predecessors; Lord *Bute*, who had been the author of that system, took a resolution to remove them. He was no longer terrified by the threats of impeachment. The Duke of *Bedford* had connived so long, his Grace could not now bring forward his menaced accusation upon any ground or pretence of public principle. He had moreover been

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recently

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Lord Bute
resolves to
change the
ministry
again.

Disregards
the D. of
Bedford.

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recently stigmatized by violent marks of popular odium*. His Grace was not at this time, in the judgment of the **Favourite**, an object of dread or respect.

Tries to
gain Lord
Temple.

Lord Bute's attention at this period, was directed to another nobleman. Since the reconciliation between Lord *Temple* and his brother Mr. *Grenville*, there had commenced a coolness between his Lordship and Mr. *Pitt*, and between his Lordship and Mr. *James Grenville*. They imagined from several circumstances, that their brother had supplanted them in his Lordship's favour and confidence. To dissolve all great connexions had been Lord *Bute*'s favourite maxim, from the moment of his accession to power. Nothing, therefore, could be more favourable to his project than this family division. He resolved to seize the opportunity which this circumstance seemed to offer. Accordingly, a few days after the meeting of Parliament, when Mr. *Pitt* had given the decision for the repeal of the Stamp Act, by the preceding speech (See Appendix U.) which

* By the Spitalfield weavers, who had assembled in multitudes before his house. Several partizans of Lord Bute were seen amongst them.

Mr.

Mr. *Grenville* had opposed, he solicited an interview with Lord *Temple* and Mr. *Grenville*, for the purpose of forming a new administration. His first application was to Lord *Eglintoun*, between whom and Lord *Temple* there subsisted a very warm friendship. Lord *Eglintoun* opened his commission to Lord *Temple* at Lord *Coventry's*, where they dined on the first Sunday after the meeting of parliament. The conversation began upon the affairs of America, in which the three Lords agreed in opinion, that a repeal of the Stamp Act would be a surrender of the authority of the British legislature over the colonies. Lord *Eglintoun* finding that Lord *Temple* was of their opinion, said to his Lordship, "Let us talk no more upon that subject here, but let us go to your brother.---Has your Lordship received no message from him?" Lord *Temple* said, he had not: and in a few minutes after they went to Mr. *Grenville's*. This matter had been more explicitly opened to Mr. *Grenville*, by Mr. *Cadogan*, now Lord *Cadogan*, and Mr. *Grenville* had requested Lord *Suffolk* to acquaint the Duke of *Bedford* with it. Upon seeing his brother, he instantly told him, without being asked a

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question,

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Meeting at
Ld Eglintoun's.

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question, that an opening had been made to him of an accommodation with Lord *Bute*, and that he wanted to consult his Lordship upon making the Duke of *Bedford* a party to the affair." Lord *Temple* replied, "that he might do as he pleased, but that he, himself, would have no concern in the matter."

Again tries
to gain
Lord Tem-
ple.

Another channel to Lord *Temple* was then pursued. This was by Mr. *W. G. Hamilton*, who was in the most confidential intimacy with his Lordship, and who, from the time of the separation of Mr. *James Grenville*, was intended to be his Chancellor of the Exchequer, if ever he accepted of the Treasury. But Mr. *Hamilton*, knowing his Lordship's temper and resolution, with respect to Lord *Bute*, did not warmly recommend the proposition.

Next day (Monday) Lord *Eglintoun* went to Mr. *Grenville's*, to desire him to meet Lord *Bute* at his house; but Mr. *Grenville* was gone to the House of Commons; upon which Lord *Eglintoun* went there to him; but meeting with Mr. *Stuart Mackenzie*, he incautiously told him of the intended meeting.

ing, and that gentleman immediately informed Lord *Holland*, who seeing Lord *Bute* a few moments after, told his Lordship, "That he was going to do a very foolish thing; but as he had gone so far he must not stop; but give them the meeting, hear what they had to propose, and then leave them."

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Lord *Temple* called upon his brother just as he had returned from the House of Commons. In a minute or two afterwards, Lord *Eglintoun* came in; and being rejoiced to see his Lordship, begged he would stay there ten minutes, while he went home. Lord *Temple* said he could not stop so long; that he was going to the House of Lords upon particular business, and it was growing late. Lord *Eglintoun* then desired he would stay only five minutes. This was refused: lastly, he requested only three minutes; and this was refused also. But in the expostulation it came out, that it was to meet Lord *Bute*, whom Lord *Eglintoun* supposed was, by this time, waiting at his own house, and he wished to fetch him. At length, pressing the matter very earnestly, Lord *Temple* answered warmly, *By G—d I will not;—that*

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was his expression, and immediately stepped into his carriage.

The Duke of *Bedford* and Mr. *Grenville* met Lord *Bute* at Lord *Eglintoun*'s. The conference was very short: Lord *Bute* followed Lord *Holland*'s advice---he heard them---and then left them. He afterwards said to Lord *Eglintoun*, that he did not meet the person he wanted to meet (Lord *Temple*) but the person he did not want to meet (the Duke of *Bedford*). Some time afterwards, Mr. *Pitt* mentioned this meeting in the House of Commons. Mr. *Grenville* did not deny it; but said, "That the single proposition made, or point spoken of, was relative to the best means of preventing the intended repeal of the Stamp Act. No other subject was mentioned."

Amuses
L. Temple.
ple.

Notwithstanding the ill success of this project, Lord *Bute* found means, through one of the Princess's confidants, to amuse Lord *Temple* with assurances, that a *Carte blanche* would, in a very little time, be offered to him: and this manœuvre was managed so well, he was completely duped by it; he believed the assurances for some time.

The

The design was to engage him warmly in the opposition to the repeal of the Stamp Act; and he fell into the snare. Having implicitly adopted the American politics of his brother, the American politics of the Court became an easy, and almost a natural gradation.

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During the progress of the bill for the repeal of the Stamp Act, it was strongly insinuated in parliament, that the bill was very far from being agreeable to the King; upon which Lord *Rockingham* asserted, that his Majesty's approbation of the measure was clear and unequivocal. Next day, Lord *Strange* maintained the contrary—that his Majesty highly disapproved of the bill. Lord *Rockingham* was greatly surprised by this explicit declaration from Lord *Strange*; and at his next audience of the King, he requested the honour of his Majesty's opinion in writing; which the King refused to give. This circumstance was an indisputable proof, that notwithstanding the late negotiation had not succeeded, yet his Majesty still withheld his confidence from his present servants. Another change of ministers was doubtless in contemplation; although no

Lord
Strange's
assertion.

Ld. Rock-
ingham's
request.

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fresh applications for that purpose were yet made.

However unfortunate these ministers might be in the closet, yet they rendered great and important services to the country. Their proceedings and conduct are well known; they are to be found in the public accounts of the time; but there is one measure of that administration which has been very imperfectly stated. It is concerning Dunkirk.

Affair of
Dunkirk.

This point, of frequent and anxious discussion, seems to have been mistaken by the British ministers, prior and subsequent to Lord *Rockingham*. From the peace of Utrecht, in the year 1713, to the month of September 1765, all our demands concerning the demolition of Dunkirk have originated in a wrong principle. We have insisted upon levelling the ramparts, upon filling up the cunette, &c. These were immaterial points, to which the French Court consented, after some affected hesitation. The fortifications on the land side are of no consequence to England. It was the harbour alone that ought to have engaged our

our

our attention. Lord *Rockingham* saw this mistake; in his administration only, was the demolition of the harbour seriously attempted: and had he remained a little longer in office, it must have been accomplished. His demands were directed to the jetties which protect the channel to the harbour, and without which the harbour becomes totally unserviceable. These jetties are two piers, which project about three quarters of a mile from the harbour into the sea; and are about twelve feet high from low-water mark: between them is the channel into the harbour. His Lordship ordered a breach to be made in the eastern jetty, near the middle, sufficient to admit the sea. All *Dunkirk* was instantly filled with alarm. They saw the ruin of the harbour was inevitable. A few tides made the fact clear. The sand was driven through the breach with such astonishing velocity, it was fully manifest the channel must be entirely choaked in a few days more. Had this breach been made larger, which was intended; and another made lower down towards the sea, which was also intended, the harbour must have been so effectually rendered useless, that nothing larger than a row-boat, or a pilot, could

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could have got into it. The French immediately saw the effect of this small breach, and instantly put a stop to the progress of the workmen. The reader is to observe, that in all the stipulations our Court has made with France, respecting Dunkirk, a kind of childish delusion has constantly been admitted—this was—the French were to employ their own people to execute our demands, and we were to send our surveyors to examine and report the state of their operation. Our surveyors had no controul over the workmen; and if the French Governor, at any time, choose to put a stop to their labour, we could not oblige them to resume their work. The surveyors might return to England, and, upon their report, the British Ambassador at Paris was usually instructed to remonstrate; which commonly produced an evasive answer. The surveyors have been sent back, and the same farce has been played over again. In this manner have the negotiations concerning Dunkirk been continued, dropped, and revived, from the year 1713. As a proof that Lord *Rockingham* was right in this matter, we need only observe the conduct of the French, in this particular, since the
treaty

treaty of 1782, by which was surrendered all claim and concern respecting Dunkirk. Instead of repairing the fortifications, on the demolition of which we formerly so strenuously insisted, or opening the cunette, or paying any regard whatever to the land side, their whole attention has been directed to *widening, deepening, and enlarging the harbour*. They have made it *capacious, safe, and convenient*. Those who think Dunkirk a place of no danger to the commerce of London, may find their mistake in a future day.

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During this administration, Mr. *Wilkes* returned from France to London; and there was some communications between the ministers and him. The following is Mr. *H. Cotes's* account of this affair; transcribed *verbatim* from his own manuscript.

Negotia-
tion with
Mr Wilkes

" Monday the 12th of May 1766, Mr. *Wilkes* arrived in town from France, with Mr. *Macklean* (formerly in partnership with Mr. *Stewart*, in a druggist's store at Philadelphia). He was very intimate with Mr. *Burke*, through whose interest he was made Governor of the Island of St. Martin.
Mr.

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Mr. *Wilkes* had a lodging at Mr. *Stewart's*, in *Holles street*, *Cavendish-square*. Mr. *Cotes* did not know of his coming till he saw the account of his arrival in the *Evening-Post* of Tuesday, at his house at *Byfleet*. He immediately came to town, when he found a note from Mr. *Wilkes*, desiring to see him. He went immediately; when Mr. *Wilkes* acquainted him, that he was come to demand a performance of the repeated promises of the ministers; which he had in writing, viz. to give him a general pardon, five thousand pounds in cash, in lieu of what he might receive from an action against Lord *Halifax*, and fifteen hundred pounds *per annum*, for forty years, upon Ireland. He said, he had seen several people from the ministers; they all expressed great wrath against Lord *Temple* for his strong opposition to their measures; that he had told them, he had very many and singular obligations to Lord *Temple*; and if that was not the case, he had so great a regard for Lord *Temple's* public and private virtues, that nothing under Heaven should induce him to do any thing that would give that noble Lord a moment's uneasiness. He desired me to communicate this to Lord
Temple,

Temple, and to assure him of his best respects; that he would have waited upon him in person, but as he was in an interesting negociation with the present ministers, he hoped his Lordship would excuse him. I went immediately to Lord *Temple's* bedside, and related the above to him. He seemed extremely satisfied with Mr. *Wilkes's* conduct, and wished most heartily that the ministers might be as good as their promises. He desired me to convey his kind compliments to Mr. *Wilkes*, and to assure him of his friendship and approbation of his conduct upon the present occasion: at the same time, he told me, that he was very certain that Lord *Rockingham* had not the least intention of serving Mr. *Wilkes*, and feared they would deceive him.

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“ I saw Mr. *Wilkes* next morning, and found Mr. *S. Luttrell** with him. I thought that a good omen for Mr. *Wilkes*, as I knew *Luttrell* to be a friend of Lord *Bute*; and I knew, without that dictator's consent or approbation, nothing would be done for my poor friend. However, I found afterwards, that *Luttrell* only came upon pri-

* Afterwards Lord *Carhampton*.

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vate business, Mr. *Wilkes* was extremely well satisfied with Lord *Temple's* answer to him, but seemed to think he should succeed with the ministers. He continued in the same sentiments all that week; though I often told him, from the best and most authentic information, that I heard they never had spoke to the King about him, nor dared they do it. I went out of town, as usual, on Saturday, and returned on Monday; when I found my friend much lowered in his expectation; but said, he should see Mr. *Fitzherbert* next day, and hoped things would go better. The next day he told me, he had got into a *damn'd scrape*, and believed he had been deceived, and that my information was true, viz. that the ministers did not intend doing any thing for him; he said Mr. *Fitzherbert* had asked him, in the name of Lord *Rockingham*, for a *carte-blanche*, to leave it to his Lordship to do as he thought proper. To which Mr. *Wilkes* answered, that he knew Mr. *Fitzherbert* to be a man of honour, and if the business was to pass between them, he should have no sort of objection; but wished Mr. *Fitzherbert* to recollect, that he himself had told him the day before, that Lord *Rockingham* had

had broke his word with him ten times, and then wished Mr. *Fitzherbert* to declare whether he would trust him?

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“ The next day, (Wednesday), he seemed to have some more pleasing hopes, having seen Mr. *Rose Fuller**, Mr. *G. Onslow*, the late Speaker’s son, and Sir *W. Baker*. He then told me, that they had said the King was possessed with a notion, that the ministers had sent for him, on purpose to embarrass his affairs, and that it would take time to disabuse the royal ear. I immediately made enquiry after the truth of this assertion, and found it totally void of truth, and that the name of *Wilkes* had never reached the royal ear, by any of his ministers. Of this I informed him.

“ I found this day (Friday) that they had pressed him much to go back to France, but that he had absolutely refused them; and

* It is an interesting anecdote of this gentleman, that he was violent in opposition to several ministers; particularly on all questions concerning British liberty, and American policy; and when he died, in the year 1777, it was discovered he had received a pension from the Court for many years. His warmth, and apparent zeal, induced every opposition to admit him into their confidence.

desired,

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desired, I would get him a private lodging in Surrey, near the Thames, to facilitate his escape, in case of necessity. I went next day to Mr. *Jonathan Tyers*, who very genteely offered his house at Dorking, but that was thought to be too far off. I went to Byfleet on Saturday, and left him to go on Sunday and see a house Mr. *Tyers* had provided for him. I offered him Byfleet; but he objected, that it would be too public, and that it would be declaring against the present ministers, as they knew my enmity to them.

" On my return on Tuesday, I found he had given over all hopes of success from the ministers, and desired I would see *Philips*, (his Solicitor), and Messrs. *Glynn* and *Dunning*, to consult what was proper to be done, previous to his surrender on the Friday following (the first day of Term), as he was firmly resolved to stand all chances; and said, he had told Messrs. *Burke* and *Fitzherbert*, that he had taken that resolution, and that if they wanted to see a steadier man than him, they must go to Corfica to find one.

" I ap.

" I appointed *Philips* to meet at Mr. *Wilkes's* next day, in the evening, and we went to Serjeant *Glynn's* house, in Bloomf-bury-square, who was so obliging as to accompany us to Mr. *Wilkes*, and stayed there the whole evening. Our discourse ran upon the means to be taken, either to appear personally, or by attorney, to reverse the outlawry; but as the Serjeant had not considered of the matter, the consultation was deferred until next morning, when Mr. *Dunning* was to meet.

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" I found Sir *W. Baker* and Mr. *Fitzherbert* at Mr. *Wilkes's* door, next morning, going into Sir *William's* chariot; who said to me, " That he was going upon an embassy for my friend within doors." I found Messrs. *Glynn* and *Dunning* in the dining-room with Mr. *Wilkes* and *Philips*, and a good deal of discourse upon the proceedings upon writs of error, &c. passed; but Mr. *Wilkes* was desirous to suspend any resolution being taken, until the return of Sir *W. Baker* and Mr. *Fitzherbert*, which happened in about two hours; when after a long conversation with them, and Lord *Rockingham's* Secretary, Mr. *Burke*, who

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came with them, Mr. *Wilkes* came up stairs and told us, that as he could not reverse his outlawry, either by error, or appearance, until November Term, and as he did not chuse to surrender and lie in prison all that time, he had determined to go abroad again. He told me, that they had not given him any money, nor would Lord *Rockingham* make him any promise; and that he had been forced to borrow one hundred pounds of Mr. *Fitzherbert*, as a private friend. He had received one hundred and thirty pounds before, from the subscription of one thousand pounds *per annum* promised by the ministry, of Mr. *Fitzherbert*: which made the whole received of this boasted affair, six hundred and thirty pounds for the year 1765. Mr. *Wilkes* said, he would certainly come in November, and take his chance.

“ Sir *W. Baker* asked Lord *Rockingham* what he intended to do for Mr. *Wilkes*? Lord *Rockingham* answered, Mr. *Wilkes* must trust to his honour. Sir *W. Baker* said, he would certainly have no objection to do that, but thought that something should be mentioned of his intentions; that if his Lordship would give his honour to intercede

cede with the King for his pardon, or do any thing else in his power for his service, he would acquaint Mr. *Wilkes*, who would be satisfied with respect to time, &c. But as to trusting to his Lordship's honour at large, he would construe that as a neglect of Mr. *Wilkes*; and should acquaint him, that he had nothing to expect from his Lordship; and that he should look upon this as a flight of himself. And desired that Mr. *Burke* might go with him to Mr. *Wilkes*, to whom he delivered the above message."

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In a few days afterwards, Mr. *Wilkes* returned to France. When the peace of the American colonies had been settled, the ministry took into consideration the state of Canada; for which great province the late ministers had provided no constitution. This defect they conceived it necessary to supply. And for this purpose, they drew the outlines of a plan of government, preparatory to a bill. This plan, or principal features of one, was submitted to the Chancellor (Lord *Northington*), who, so far from approving of it, or offering to cor-

Returns to
France.Proposition
for the
govern-
ment of
Canada.Disap-
proved by
the Chan-
cellor.

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rect it, condemned the whole measure in the most violent terms of indignation and intemperance. It is to be observed, that the Chancellor had never been cordially their friend; and he seemed eagerly to seize this opportunity of expressing his dislike. His manners were not of the most gentle kind, nor was his language very polished, whenever he indulged in his natural disposition of reproach; harsh and bitter, vulgar and brutal, were epithets frequently applied to his character by many of those whose intercourse with him gave them a perfect knowledge of his language and manners. And, perhaps, upon no event in his life, they were more justly merited than the present. He went to the King, and complained to his Majesty of the unfitness of his servants: he told the King, in terms of the utmost plainness, that the present ministers could not go on, and that his Majesty must send for Mr. *Pitt*.

Who advises the King to send for Mr. Pitt.

It is easy to conceive, from the opposition the ministers had met with, as well in parliament as at court, that this advice was

was agreeably received. In consequence of it, his Majesty commissioned the Chancellor to confer with Mr. Pitt on the subject of a new arrangement.

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C H A P. XXXI.

Lord Northington opens his negotiation with Mr. Pitt.—Duke of Grafton resigns.—Several Persons refuse Places.—An Eighteen Days Journal.—Mr. Pitt sees the King.—Lord Temple sent for, and goes to the King.—Conference between Mr. Pitt and Lord Temple, at Hampstead.—They differ and separate.—Lord Temple has an Audience of the King.—Returns to Stowe.—Mr. Pitt created Earl of Chatham.—His extraordinary Grants.—Mr. Townshend, Manager of the House of Commons—Several Persons refuse Places.—Lord Rockingham refuses to see Lord Chatham.—Mr. Stuart Mackenzie restored.—Lord Chatham not united with Lord Bute.

LORD NORTHINGTON opened his negotiation with Mr. Pitt, through the channels of the Duke of Grafton, and Mr. Calcraft. Mr. Pitt was at that time at his new estate in Somersetshire; from which place he was sent for. He arrived in London on the eleventh of July; and the

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same evening he had a conference with Lord Northington.

Duke of
Grafton
resigns.

The Duke of *Grafton* had lately resigned his office of Secretary of State, and attached himself to Mr. *Pitt*: this attachment he had publicly avowed in the House of Lords*. When it was indisputably clear, that Lord *Rockingham's* administration was not honoured by the countenance and support of Mr. *Pitt*, not only the Duke of *Grafton*, but several other persons† refused to contribute their assistance; from an apprehen-

* His Grace said in the House of Lords, 'That he had no objection to the persons, or to the measures of the ministers he had recently left; but that he thought they wanted strength and efficiency to carry on proper measures with success; and that he knew but one man who could give them that strength and solidity (meaning Mr. *Pitt*); that under him, he should be willing to serve in any capacity, not only as a General Officer, but as a Pioneer, and would take up a Spade and a Mattock.'

† Lord *Spelburne* refused the Board of Trade, and Colonel *Barre*, Vice Treasurer of Ireland.

His Lordship refused also the Embassy to Paris.

Lord *North* refused the Exchequer, also Vice Treasurer of Ireland.

Lord *Townshend* refused to go to Paris or Madrid.

Lord *Egmont* refused the seals resigned by the Duke of *Grafton*.

Lord *Hardwicke* refused them likewise.

Lord *Lyttleton* refused a cabinet situation.

tion,

sion, that a new administration would in a short time be appointed, of which, each man flattered himself with becoming a part, under the idea of forming a more comprehensive system. Nobody doubted the honour and integrity of Lord *Rockingham*: it was even admitted, that his administration had been regulated, and conducted on the purest principles of patriotism; yet there was not virtue enough in the country to support him.

Those who assert that Lord *Bute* was not consulted, nor gave any advice upon this occasion, must forget all the preceding facts since the death of *George the Second*; and must deny his nocturnal visits, at this time, to the King's mother at Carlton House*.

C 4

Lord

- * *An eighteen days faithful Journal, ending a few days previous to the minister's shaking hands in the year 1766.*

Tuesday, June 24, 1766. From Audley-street, the Favourite set out about one o'clock, in a post-coach and four, for Lord *Litchfield's* at Hampton Court, and came home again at ten at night; went out directly after in a chair to Miss *Vansittart's*, maid of honour to P. D. of W. in Sackville street; staid there but a very little while, and then went to Carlton-house, and returned home about twelve o'clock.

Wednesday 25. From Audley-street, the Favourite set out in a chair at half past six in the evening, went into Sackville-street, as before,

Lord *Northington* did not indeed begin his negociation with Mr. *Pitt*, under the immediate

before, staid there till past ten, then went to Carlton-house, and returned home about twelve.

Thursday 26. From ditto, the Favourite set out at half past six in the evening in a chair, went into Sackville-street as before, staid there till ten, then went to Carlton-house, and came home at twelve.

Friday 27. At seven this morning the Favourite set out from Audley-street, for his seat in Bedfordshire.

Sunday 29. The Earl returned from Bedfordshire this day to dinner; set out as before at a quarter past six for Sackville-street, staid there till about ten, then went to Carlton house, and came home at twelve.

Monday 30. From Audley-street, the Favourite set out in a chair a quarter past six, went into Sackville-street, staid there till about ten, then went to Carlton-house, and came home as usual at twelve.

Tuesday, July 1. From ditto, at half past six, in a chair to Sackville street, staid there till ten, then to Carlton-house, and thence home at twelve.

Wednesday 2. From ditto, ditto, ditto, and ditto.

Thursday 3. At six this morning, the Favourite set out from Audley-street for his seat in Bedfordshire.

Saturday 5. The Favourite returned to Audley street from ditto this day to dinner; at half past six went to Sackville-street, staid there as usual till about ten, then to Carlton-house, and afterwards came home about twelve.

Sunday 6. At half past six to Sackville-street as usual, about ten to Carlton-house, and home at twelve as before.

Monday 7. At three quarters past six to Sackville street as usual, about ten to Carlton-house, and home at twelve.

Tuesday 8. At half past six to Sackville-street, about ten to Carlton house, and home at twelve.

Wednesday 9. At half past six to Sackville-street, about ten to Carlton-house, and home at twelve.

Thursday

diate and personal directions of Lord *Bute*,^{CHAP. XXXI.}
 but Lord *Bute*'s influence pervaded through
 a higher channel.^{1766.}

Lord *Northington* offered Mr. *Pitt* a *Carte-blanche*. Although Mr. *Pitt* did not dispute his Lordship's authority or veracity, in making this offer, yet he wished to have it confirmed by the King. Mr. *Pitt* was introduced to the King at Richmond. The conference was very short. His Majesty confirmed the offer made by his Chancellor; and added, that he had no terms to propose. He put himself into his (Mr. *Pitt*'s) hands*.

This

Thursday 10. This morning at seven the Favourite and his lady set out from Audley-street for Bedfordshire.

Saturday 12. Returned this day from Bedfordshire to dinner, and, being Lord *Mount Stuart*'s birth-day, he went out at eight this evening to Sackville-street, staid there till past ten, then went to Carlton-house, and returned home about twelve.

Sunday 13. At half past six to Sackville-street, staid there till past ten, then to Carlton-house, and home at twelve.

Monday 14. At half past six to Sackville-street, staid there till ten, then to Carlton-house, staid there till past twelve, and then returned home.

N. B. The curtains of the chair from Audley to Sackville-street, were constantly drawn, and the chair taken into the house.

* The King had so often entreated Mr. *Pitt* to enter into his service, Mr. *Pitt* frankly acknowledged to Mr. *Calcraft* he could resist the entreaties no longer; and besides, he said, they were made in a manner so pressing and affecting, no person susceptible
 of

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XXVI.

1766.

Ld. Tem-
ple sent
for.

This was on Saturday the 12th of July*.

In the evening Mr. *Pitt* had another conference with the Chancellor, and afterwards with General *Conway*, with whom he settled the principal arrangements. Next day (Sunday) the Chancellor, by his Majesty's command, sent for Lord *Temple*, who was at Stowe, in Buckinghamshire. His Lordship came to town on the fourteenth. Next morning he waited upon the King at Richmond, before he saw Mr. *Pitt*. The King acquainted his Lordship with the offer that had been made to Mr. *Pitt*; and added, that he expected his Lordship would assist Mr. *Pitt* in forming the arrangements. Next day, which was the 16th, "† his Lordship

of feeling for the distress of the country, could remain obdurate. To this art Mr. *Yorke* also fell a sacrifice, in the month of January, 1770. See Chapter xxxv.

* *Vide* the dates, of the last three days, of the preceding eighteen days journal.

† This account of the conference between Mr. *Pitt* and Lord *Temple* at Hampstead, and the subsequent audience of the King, are taken from a pamphlet called *An Enquiry*, &c. Lord *Chesterfield*, in his letters to his son, says, this pamphlet was written by Lord *Temple*. But his Lordship was mistaken. The pamphlet was written by Mr. *Humphry Cotes*, assisted by another person. It is, however true, that the particular fact, stated in this account of the conference and of the audience, were communicated by Lord *Temple*, in conversation, to Mr. *Cotes*; who, without Lord *Temple's* participation, caused them to be published.

received

received a very affectionate letter from Mr. *Pitt*, then at North End, Hampstead, desiring to see his Lordship there, as his health would not permit him to come to town. His Lordship went; and Mr. *Pitt* acquainted him, that his Majesty had been graciously pleased to send for him, to form an administration; and as he thought his Lordship ‘*indispensable*,’ he desired his Majesty to send for him, and put him at the head of the Treasury; and that he himself would take the post of Privy Seal. Mr. *Pitt* then produced a list of several persons, which he said, *he* had fixed upon to go in with his Lordship; and which, he added, was not to be altered. Lord *Temple* said, that he had had the honour of a conference with his Majesty at Richmond the evening before, and that he did not understand, from what passed between them, that Mr. *Pitt* was to be *absolute master*, and to form *every part* of the administration; if he had, he should not have given himself the trouble of coming to Mr. *Pitt* upon that subject, being determined to come in upon an *equality* with Mr. *Pitt*, in case he was to occupy the most responsible place under government. And as Mr. *Pitt* had chosen only a *side-place*, without
any

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1766.

Conference
between Mr.
Pitt and
Ld. Temple
at Hamp-
stead

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1766.

any responsibility annexed to it, he should insist upon some of his friends being in the cabinet offices with him, and in whom he could confide: which he thought Mr. *Pitt* could have no objection to, as he must be sensible he could not come in with honour, unless he had such nomination; nor did he desire, but that Mr. *Pitt* should have his share of the nomination of *his* friends. And his Lordship added, that he made a *sacrifice* of his brother Mr. *G. Grenville*, who, notwithstanding his being entirely out of place, and excluded from all connection with the intended system, would nevertheless give *him* (Lord *Temple*) all the assistance and support in his power: that it was an idea to conciliate all parties, which was the ground that had made Mr. *Pitt's* former administration so respectable and glorious, and to form upon the solid basis of *union*, an able and responsible administration; to brace the relaxed sinews of government, retrieve the honour of the crown, and pursue the permanent interest of the public: but that if Mr. *Pitt* insisted upon a superior dictation, and did not chuse to join in a plan designed for the restoration of that *union*, which at no time was ever so necessary, he desired
the

the conference might be broke off, and that Mr. *Pitt* would give himself no further trouble about him, for that he would not submit to the proposed conditions.

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“ Mr. *Pitt*, however, insisted upon continuing the conference; and asked, who those persons were whom his Lordship intended for some of the cabinet employments? His Lordship answered, that one in particular was a noble Lord of approved character, and known abilities, who had last year refused the very office now offered to him (Lord *Temple*) though pressed to it in the strongest manner, by the Duke of *Cumberland* and the Duke of *Newcastle*; and who being their common friend, he did not doubt Mr. *Pitt* himself had in contemplation. This worthy and respectable person was Lord *Lyttleton*. At the conclusion of this sentence, Mr. *Pitt* said, Good God! how can you compare him to the Duke of *Grafton*, Lord *Shelburne*, and Mr. *Conway*? Besides, continued he, I have taken the Privy Seal, and he cannot have that. Lord *Temple* then mentioned the post of Lord President: upon which Mr. *Pitt* said, that could not be, for he had engaged the Presidency: but, says he, Lord
Lyttle-

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Lyttleton may have a pension. To which Lord *Temple* immediately answered, that would never do; nor would he stain the bud of his administration with an accumulation of pensions. It is true, Mr. *Pitt* vouchsafed to permit Lord *Temple* to nominate his own Board; but at the same time insisted, that if two persons of that board (*T. Townshend* and *G. Onslow*, Esqrs.) were turned out, they should have a compensation, i. e. *pensions*.

“ Mr. *Pitt* next asked, what person his Lordship had in his thoughts for Secretary of State? His Lordship answered, Lord *Gower*; a noble lord of great alliance; and in whom he hoped to conciliate and unite a powerful party, in order to widen and strengthen the bottom of his administration, and to vacate even the idea of opposition; thereby to restore unanimity in Parliament, and in the public. To this his Lordship added, that he had imparted his design to Lord *Gower*, nor did he know whether that noble Lord would accept of the place*;

* Lord *Temple* afterwards wrote to Lord *Gower*, to excuse the mention he had made of his name.

but

but he mentioned it now, only as a comprehensive measure, to attain the great end he wished, of restoring unanimity by a reconciliation of parties; that the business of the nation might go on without interruption, and become the only business of parliament. But Mr. *Pitt* rejected this proposal, evidently *healing* as it appeared, by saying, that he had determined Mr. *Conway* should stay in his present office, and that he had Lord *Shelburne* to propose for the other office, then held by the *Duke of Richmond*; so that there remained no room for Lord *Gower*. This Lord *Temple* said, was coming to his first proposition of being sole and absolute dictator, to which no consideration should ever induce him to submit. And therefore he insisted upon ending the conference; which he did with saying, That if he had been first called upon by the King he should have consulted Mr. *Pitt's* honour, with regard to the arrangement of ministers, and have given him an equal share in the nomination; and that he thought himself ill-treated by Mr. *Pitt*, in his not observing the like conduct."

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XXXI.

1700s

They differ.

And separate.

Here the conference ended.

Next

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XXXI.

1766.

Next day Lord *Temple* had an audience of the King in the closet; when his Lordship told his Majesty, in substance, "That Mr. *Pitt*'s terms were of such a nature, he could not possibly accept of them consistently with his honour: that he had made a sacrifice of his brother to Mr. *Pitt*'s resentment, in order to accommodate with him; but that gentleman insisted upon bringing in a set of men, some of whom were personal enemies to his Lordship, and with whom he had differed upon the most essential points of government; and would not permit him to name one friend for the cabinet, in whom he had an entire confidence: and had assumed a power to himself, to which his Lordship never could submit; for if he did, the world would say, with great justice, that he went in like a child, to go out like a fool. That his wish was to retrieve the honour of the nation by an administration formed upon a broad bottom, and composed of men of the best abilities, without respect to party, which his principal view was to extinguish; in order that the whole attention of parliament might be confined to the great objects of national concern. That he had never been a suitor to his Majesty
either

either for himself or his friends, for any place of honour or emolument; he did not even seek the present offer; yet he was extremely willing to sacrifice his own peace and leisure, to the service of his Majesty and the country, provided he could do it with honour; but that, he added, was in his own disposal, and he would not make a compliment of it to any man.

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1766.

“ In the evening (of the same day) the noble Lord told Lord *Northington*, that the farce was at an end, and the masque was off; his Lordship need not have sent for him from the country, for there was no real wish or intention to have him in the administration.”

Lord *Temple* returned to Stowe. The natural disposition of this noble Lord, was the most amiable that can be conceived, to his friends; but when offended, his disapprobation was warm and conspicuous—his language flowed spontaneously from his feelings; his heart and his voice always corresponded. With such a temper, it was not probable that the cause of his separation

And re-
turns to
Stowe.

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D

from

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XXXI.

1766.

Mr. Pitt
created
Earl of
Chatham:

from Mr. *Pitt* would either be concealed, or indifferently expressed.

Mr. *Pitt* having made choice of the office of Privy Seal for himself, was necessarily created a peer This was announced to the public, in the London Gazette in the following words——‘*St. James’s, July 30.* The King has been pleased to grant unto the Right Honourable *William Pitt*, and his heirs male, the dignity of a Viscount and Earl of Great Britain, by the name, style and title of Viscount *Pitt*, of Burton-Pynsent, in the county of Somerset, and Earl of Chatham, in Kent.’—A list of the persons, to whom his Lordship distributed the offices of State, may be seen at the end of the work*. Although he continued

Mr.

* But the following extraordinary grants are proper to be mentioned here.—Having made Lord *Northington* President of the Council, it was stipulated, that whenever his Lordship should resign that post, he should receive during his life a pension of 4000*l.*

Also the reversion of the Hanaper was secured to him for two lives, after the demise of the Duke of *Chandos*; salary supposed to be per annum 1350*l.*

The reversion of a Teller of the Exchequer for Lord *Camden’s* son. Salary about per annum 3500*l.*

A pen-

Mr. *Conway*, in his post of Secretary of State, yet he gave the management of the House of Commons to Mr. *Townshend*; and Lord *Granby* was put at the head of the army. Before Lord *Chatham* had finally settled his arrangements, he made several offers to different persons of great weight and consideration, with a view of strengthening his ministry, and of detaching them from their friends. But that superiority of mind, which had denied him the usual habits of intercourse with the world, gave an air of austerity to his manners, and precluded the policy of a convenient condescension to the minutiae of politeness, and fascinating powers of address. He made an offer of Secretary of State to Lord *Gower*, whom he had refused, when proposed for that office by his brother. He made offers

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1766.

Mr Town-
shend has
the House
of Com-
mons.

A pension to Lord *Camden* on the Irish Establishment, in case he should lose his post of Lord Chancellor before there is a vacancy in the Exchequer for his son; per annum 1500l.

A pension to Col. *Ligonier* for life, on England; per annum 1500l.

A surrender of the borough of Orford to Lord *Herford*—

Mr. *Stanley* appointed Ambassador to Russia, but never went—

Lord *Bristol* appointed Lord Lieutenant of Ireland, but never went—

An additional pension to Prince *Ferdinand*, on the Irish Establishment, per annum 2000l.

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Several
persons re-
fuse places.
Ld. Rock-
ingham re-
fuses to see
Ld. Chat-
ham.

to Lord *Scarborough*, Mr. *Dowdeswell* and several others. But in such terms of hauteur, as seemed to provoke, though unintentionally; the necessity of refusal*. They were all rejected. He then waited upon Lord *Rockingham*, at his house in Grosvenor-square; but Lord *Rockingham*, who was at home, refused to see him.—These circumstances chagrined him considerably. He now found, for the first time in his life, that splendid talents alone were not sufficient to support the highest situations; that the government of a party and the government of a nation, were as distinct in their features as in their principles. He now felt the loss of his brother, Lord *Temple*, whose gracious affability procured him the esteem of all ranks of people, while the splendor of his own talents commanded their admiration. These two great men united, made a host against the world; but when separated, they became the instruments of two factions; both of them without intending it, and for some time without perceiving it: Lord

* To the first, an abrupt message was sent, 'That he might have an office if he would.' To the second, 'That such an office was still vacant.' To a third, 'That he must take such an office or none.'

Chatham

Chatham of the court, and *Lord Temple* of the opposition.

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One of the first acts of *Lord Chatham's* administration, was the restoration of Mr. *Stuart Mackenzie*.—He did this in the handsomest manner possible.—When Mr. *Mackenzie* was first appointed to the *sinecure* of Privy Seal for Scotland, he was honoured with the royal assurance, that he should enjoy the place for his life. But the Duke of *Bedford* had obliged his Majesty to break his promise in the year 1765, in order to convince the nation, that he (the Duke) was not under the influence of *Lord Bute*. *Lord Chatham* thought this removal such a flagrant violation of the royal promise that he made this reparation of the King's private honour one of the first acts of his ministry without regarding the unpopularity of the measure. This circumstance indisputably proves, that *Lord Chatham* was not unfavourably disposed to the King's friendships, nor even to his partialities.—And if we reflect a moment upon the great political talents of his Lordship, and the wonderful effects of his return to office in the year 1757, we may safely say,

Restoration of Mr. Mackenzie.

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that every public interest, and every private attachment might have been at this period, as harmoniously arranged, and would probably have been honoured with equal success, and supported by similar unanimity, *had he found the same fidelity in the closet.*

The restoration of Mr. S. *Mackenzie*, the fact of his own peerage, and his sudden difference with Lord *Temple*, gave cause and credit to a suspicion, which all the minions of the court assiduously encouraged and circulated, and which in a short time prevailed throughout the kingdom—*That the Earl of Chatham had joined the Earl of Bute.*

Id. Chatham is not united with Lord Bute.

However strong the appearances were, it is certainly true, that the suspicion was unfounded. What was said of Lord *Rockingham*, on a similar cause of suspicion might with equal veracity be said of Lord *Chatham*—‘That with the Earl of *Bute* he had no personal connection, nor correspondence of council; he neither courted him, nor persecuted him.’*

* By Mr. *Burke*.

CHAP.

C H A P. XXXII.

Embargo on the Exportation of Corn—State of Parties—Conference between Lord Chatham and the Duke of Bedford at Bath—Conference between Lord Chatham and Lord Edgcumbe—Its consequences—The Admiralty offered to Lord Gower—Conduct of the Court—Second Conference with the Duke of Bedford—Breaks off.

THERE never was known in England so wet a summer as that of this year. From the month of March to the month of August, there were not successively two fair days. This uncommon season injured the corn harvest prodigiously. Towards the end of the summer, when the extent of the injury was manifest, ministers held several councils upon the subject. At length they issued a proclamation, commanding an embargo to be laid on the exportation of corn. Lord *Chatham* did not attend any of these councils. To the second council he sent his opinion in writing, which was in favour of the embargo. When Parliament met, ministers defended their conduct upon this

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1766.

Embargo
on the ex-
portation
of corn

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particular point, by the same arguments, and avowed the same doctrines which had been used in the defence of similar arbitrary measures by the friends of the *Stuarts*. The constitution was very ably supported by Lord *Mansfield*, Lord *Temple*, and Lord *Lyttleton*. And their arguments were afterwards published in a pamphlet, entitled, *A Speech against the suspending and dispensing Prerogative*. Many people ascribed this speech to Lord *Mansfield*. But they were mistaken. The pamphlet was written under the eye of Lord *Temple*, by a gentleman at the bar, who was present at the debate, and who was also assisted in the composition by Lord *Lyttleton*.

A few days after the proclamations were issued respecting the embargo*, Lord *Chatham* retired to Bath for the benefit of his health. During his stay at Bath, the Duke of *Bedford* came there for the same reason. Lord *Chatham* solicited an interview with his Grace. His Lordship's view was, to detach the Duke from Mr. *Grenville*. Lord *Chatham* was not unacquainted, that a pow-

State of
Parties.

* They were dated September 26th, 1766.

erful and violent opposition was forming against him. It was menaced, that this opposition would consist of the late ministry, whom, for distinction's sake, and because the Duke of *Newcastle* was yet alive, was sometimes called the *Pelham's*; of the relations of his own family, and their friends, who, though a minor party, were yet a growing one; and of the *Bedford* interest, which at that time was respectable, firm and compact. The two last interests were united. His design was to separate them; and to strengthen his administration by an acquisition of the Duke of *Bedford*. He therefore opened his conference with his Grace, by making the strongest assurances, that he should be particularly happy to see the King's administration countenanced and supported by his Grace's approbation and interest. The Duke making no reply to this exordium, Lord *Chatham* proceeded, by saying, that he would frankly lay before his Grace the principal measures he intended to pursue,

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1766.

Conference
between Ld.
Chatham
and the
Duke of
Bedford.

First. He intended to keep the peace inviolate, and to keep a watchful eye over the Princes on the Continent, that they did the same,

Secondly,

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1766.

Secondly. He would enter into no continental connections, nor make any subsidiary treaty with any European power.

Thirdly. He would observe such a strict and rigid œconomy, as should command the approbation of the most frugal member of Parliament.

The Duke replied, that these were the very measures for which he had always declared and contended. They were *his* measures, and he would certainly support them, whether his friends were in, or out of office.

Not a word was spoken of America, nor of any arrangements.

They parted in similar conceptions, that this interview was only a prelude to another. And this accounts for a great part of the *Bedford interest* being neuter at the meeting of Parliament.

Lord *Chatham's* next step was, an attempt to divide the *Newcastle interest*. He began with Mr. *Shelly*, the Duke's near relation. To him, he promised the Staff of Treasurer of
of

of the Household; which at this time was in the hands of Lord *Edgcumbe*. In his expectations of accomplishing his design, he was too sanguine. It is true, he procured the dismissal of Lord *Edgcumbe*, and the appointment of Mr. *Shelley*; but the dismissal of Lord *Edgcumbe* was attended with consequences which rather weakened than strengthened his administration; and so far from dividing, or dismaying his opponents, rather cemented their union, and provoked their resentment.

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The particulars of this dismissal were as follows;

* “ About the 20th of November, 1766, the Minister sent a note to Lord E. acquainting his Lordship, “ That a Great Personage had determined upon making some alterations in his servants; and that he [the Minister] should be glad to see Lord E. in Bond-street, or he would wait upon his Lordship in Upper Grosvenor-street.”—— Lord E. directly waited upon the Minister in Bond-street. The Minister began with

Conference between Ld. Chatham and Lord Edgcumbe

* From the Political Register, Vol. 1. p. 275.

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commending his Lordship's abilities, his virtues, his integrity, and recited the contents of his letter. Then, after some pause, he said, "He was very sorry for it, was extremely concerned it should happen so—but—it was necessary—" Here Lord E. stopped him short, and bluntly demanded, "if his post was destined for another." The Minister, after a little pause, acknowledged that it was, and that it had been so for some time. Lord E. then proceeded to remind him of the measures of the late opposition; "that he had, four years, steadily and uniformly supported those measures; measures which he [the Minister] had approved and adopted, and which were now happily effected: that he had never deserted any of the great questions upon the subjects of the liberties and interests of his country; and expressed his astonishment that this treatment should be the reward of a conduct that had manifestly the approbation of, and was agreeable to, the spirit and principles of the Minister, while in opposition." The force of these truths, and this conclusion, obviously made an impression upon the Minister: and he said, "that however unwilling a Great Personage was to increase the number
ber

ber of his Lords of the Bedchamber, yet he [the Minister] would nevertheless venture to place his Lordship upon that list." CHAP.
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Lord E. directly made answer, "That however willing he really was to hold some place, in order that he might continue in office with his friends, and support the measures of government, yet, after this usage, he would not take any place, nor resign that which he held, to any but the Great Personage himself." And added "that it was extremely impolitic thus to turn out persons of rank; persons of great parliamentary interest." The Minister burst out—"Oh!" said he, "if that be the case, *let me feel myself!* I despise your parliamentary interest! I do not want your assistance!" And added, "that he trusted to the uprightness of his measures for the support and confidence of the K——; and the favour and attachment of the people; and acting upon these principles," said he, "*I dare look in the face the proudest connections of this country!*" They parted.

"Two days after, Lord E. received a note signifying a Great Person's desire of his staff. On Monday the 24th of November,
1766,

1766, he waited on the Great Person, who said, "that he was very sorry to part with his Lordship, of whose services he had a very high opinion, as well as of his Lordship's abilities, and attachment to his person, and especially because his Lordship had no mixture of factious principles in his disposition; But," says he, "My ministers tell me it must be so;" and added, "that the idea of the bed-chamber was purely his own." Lord *E.* returned the Great Person "his sincere and most humble thanks for the good opinion he was pleased to entertain of him; and expressed the great obligation he was under for it, and the more so," added he, "for not pressing the bed-chamber upon me; all which more than pay me for the ill usage of your ministers." The staff was given up, and Mr. *Shelley* appointed Treasurer of the Household.

Its consequences.

"Next day the Earl of *Befsborough*, who was one of the joint Post-masters, offered to make room for Lord *E.* by proposing to resign that post in favour of his Lordship, and taking the bed-chamber, which had been offered to that Lord. But this obliging offer was rejected. Upon which the Duke of *Port-*

Portland, the Earls of *Bosborough* and *Scarborough*, and Lord *Monson*, resigned the next day, which was Wednesday, November the 26th, 1766. And these resignations were immediately followed by those of Sir *Charles Saunders*, Sir *William Meredith*, Admiral *Keppel*, &c."

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In consequence of these resignations, Lord *Chatham* resolved to renew his overtures to the *Bedford* interest. The office of first lord of the Admiralty, which Sir *Charles Saunders* had resigned, he immediately tendered to Lord *Gower*. But that Lord did not think proper to accept it (though he did not refuse it) without first consulting the Duke of *Bedford*, who at this time was at *Wooburn*. And having given this answer to Lord *Chatham*, he went on the 28th to *Wooburn* to consult his Grace. Next day Lord *Chatham* had a long conference in the closet. He laid open the plan of his intended alliance with the *Bedford* interest, to fill the vacancies occasioned by the late resignations. But the conduct of the great leader of this interest, when last in office, had created so violent a prejudice against him, Lord *Chatham* found the execution of his

Admiralty
offered to
Ld Gower.

his plan to be impracticable in the whole extent that he designed it; for he intended to have included the Duke himself in his new arrangement. But he was intreated to abandon all thoughts of that nobleman. He was promised the warmest, the fullest, most sincere, and most effectual support. He yielded to these assurances, or, as he said afterwards, he could not resist them; and several vacant offices were filled before Lord *Gower* returned from *Wooburn*. The names of the persons appointed, will sufficiently distinguish the interest which prevailed. Lord *Le Despencer*, who had been Lord *Bute's* Chancellor of the Exchequer, was made Postmaster; Mr. *Jenkinson*, now Lord *Liverpool*, who had been Lord *Bute's* private secretary, was made a Lord of the Admiralty. The rest the reader will find in the List of Changes at the end of the Work. By this arrangement, Lord *Chatham* seemed to be entirely united to the court. He certainly trusted to the promises which had been made for his support; and he gave them full credit, because he believed them to be sincere.

On the first of December Lord *Gower* returned from *Wooburn*, with the Duke of *Bedford*. A few hours after their arrival in London, the Duke waited on Lord *Chatham*, in Bond-street. The conference between these two noble Peers was very short. Lord *Chatham*'s purpose was to conceal the engagement he had made with the court. The Duke's idea was, that the negociation begun at Bath, and continued with Lord *Gower*, was still open. His Grace therefore requested some of the vacant offices for his friends, and an English peerage for the Marquis of *Lorne*, now Duke of *Argyll*. He asked nothing for himself; but added, that the measures which had been avowed at Bath, he expected were still to be pursued. Lord *Chatham* began with putting a positive and unqualified negative on the peerage of Lord *Lorne*. Then, as to the offices, he said, there were very few vacant. He had bestowed the Admiralty upon Sir *Edward Hawke*, and given to Mr. *Jenkinson* and Sir *Piercy Brett* the two vacant seats at that Board, and Lord *Le Despencer* was destined for the Post-office. And as to measures, he observed, he had never altered his opinion of the peace, it was the same that he had

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Second
conference
with the
Duke of
Bedford.

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declared in Parliament: And with respect to Prussia, he was resolved to support and maintain the alliance with that monarch. From these answers, the Duke was convinced, that all thoughts of negociation were at an end, and next morning his Grace returned to Wooburn.

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C H A P. XXXIII.

Further arrangements.—Lord Chatham regrets the Loss of Lord Temple.—Seized with the Gout at Bath, and at Marlborough —Comes to Hampstead.—Another Change meditated.—General Conway wishes to resign.—Lord Northington wishes to resign.—King's Message to Lord Chatham.—Duke of Newcastle is very anxious to preserve the Union of the Opposition.—Application to Lord Rockingham.—Declaration of the Duke of Bedford, Lord Temple and Mr. Grenville.—Declaration of the Duke of Newcastle.—Conference at Newcastle House.—Breaks off.—Importance of the Minister of the House of Commons.—America the True Cause.—Second Conference at Newcastle House.—Anecdotes of Mr. Lownd's Tickets, and of the Judge's Tickets.—Nabob of Arcot's Members.—Judge Yates tampered with.—Lord Rockingham waits on the King.—Lord Holland advises the King.

WITH a view to detach some of the Duke of Bedford's friends from his Grace's interest, Lord Chatham, in ten days after the preceding negotiation was closed, gave the same peerage to the Marquis of

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Further
arrange-
ments.

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Lorne, which he had refused to the request of the Duke of *Bedford*. And at the same time Mr. *Nugent*, who was placed at the head of the Board of Trade, was created Lord *Clare*. But the American business, usually managed and transacted at that Board, was transferred to the office of the Southern Secretary of State; and the Board itself was reduced to the state of a board of reference only. As soon as Lord *Chatham* had made this alteration, and a few other lesser arrangements, he went into Somersetshire,

Ld. Chat-
ham re-
grets he
loss of
Ld. Tem-
ple.

Although the vacant offices were filled, yet he was far from being satisfied with the choice he had been obliged to make of several of the individuals, or with the union he been obliged to accept. And he regretted, more than any other circumstance, the loss of his brother Lord *Temple*—because he felt that loss more and more every day.—He now felt the loss of a repository of his confidence—the solace of his hours of affliction. Grief, vexation, and disappointment, preyed upon his nerves; which, though in early life, naturally strong, were now become weak, by age and infirmity.

His

His peerage had diminished his popularity. A considerable part of his ministry, consisted of men who had been appointed through necessity, not through choice; and this circumstance being notorious to those whom he had selected in the first instance, inspired them with a spirit of envy and ambition, to become the rivals of his situation and power. He was agitated by contending passions—a mind sometimes vigorous, and often depressed—his body tortured by pain, and imprisoned by infirmity—he fell into a paroxysm of the gout at Bath, which seemed to threaten his extinction. In the month of February 1767, he attempted to return to London, but was unable to proceed further than Marlborough; where he lay until March, and then finished his journey. He retired to a house he had hired at Hampstead; but was in so feeble a state he could not attend to any public business. He remained at Hampstead some time, having sold his estate at Hayes, in Kent. The air of Hampstead was too sharp for his disorder—that of Hayes he thought suited him better; therefore he wished to re-possess his former habitation; which being made known to Mr. *Walpole*, the purchaser,

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Seized
with the
Gout at
Bath.

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And at
Marlbo-
rough.

Comes to
Hamp-
stead.

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chaser, he very politely gratified his Lordship, notwithstanding he had bought the place for his own residence.

Another
change
meditated.

During his absence, Mr. *Townshend*, in some degree, assumed the reins of government. He supposed Lord *Chatham's* state of health to be such as would totally, and for ever, preclude his return to public business. He therefore meditated the accomplishment of some alliances, with a view of forming another administration for the establishment of his own power. In this project he was joined by General *Conway*. They cultivated a favourable understanding with Lord *Rockingham*. Their first object was the removal of the Duke of *Grafton*; but Lord *Chatham* arriving in the vicinity of London, the design was abandoned, and the Duke and Mr. *Townshend* became reconciled*.

During Lord *Chatham's* stay at *Hampstead*, the King sent frequent messages to him, desiring him not to be concerned at his confinement, or absence from public

* They had differed upon the affairs of India.

business;

business ; for that he [the King] was resolved to support him.

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* “ Early in the month of June, Gen. *Conway* declared to several of his friends, that he had resolved to resign his office of Secretary of State ; because his situation was of late become very disagreeable to him ; not only from having been frequently over-ruled in his opinions respecting measures ; but from his being sensible, that he was acting in opposition to his friends, and particularly to those friends with whom he anxiously wished to be re-united. And he made the same declaration, or something not very unlike it, to the King ; but at the same time said, he would stay till a successor was appointed. In consequence of this declaration, he ceased to transact any business of his office, and circular letters were sent to the ambassadors for four weeks together, signifying that he was out of employment.

General
Conway
wishes to
resign.

Towards the end of June, Lord *Northington* declared to the King his resolution

Lord Nor-
thington
wishes to
resign.

* From the Political Register, (with several corrections and additions). Vol. I. page 201, &c.

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to resign, on account of his ill state of health, and real inability to attend the public business; and advised the King to send for the Duke of *Bedford*, Lord *Temple*, and Mr. *Grenville*, whom he had before publicly declared *were equal to their offices*.

This, though an expected event, bore no relation to the preceding declaration of Mr. *Conway*, nor were the two persons in the smallest degree connected.

King's
message to
Lord
Chatham.

A few days after the rising of Parliament, which was on the second day of July, the King wrote a letter with his own hand to Lord *Chatham*, who lay sick at Hampstead, acquainting him of his resolution to make some alterations in his servants, and desiring his assistance or advice. Lord *Chatham* returned a verbal answer to this effect, "That such was his ill state of health, that his Majesty must not expect from him any further advice or assistance, in any arrangement whatever.

Duke of
Newcastle
anxious to
preserve
the union
of the op-
position.

It being now certain, that application must be made to some part of the opposition, the Duke of *Newcastle*, who dreaded nothing

nothing so much as a division of them, and therefore had for some time strongly recommended a firm union among them, against the secret designs of the Favourite, whom he suspected would form some new manœuvre to divide them. His Grace conversed with the friends of all the leaders in the Opposition; and pressed with particular assiduity and extraordinary ardour, the great and indispensable necessity of a faithful and steady adherence to each other. He shewed the advantages which must result from such an union, and exhibited the wretched and ruined situation into which any part of them must inevitably fall, if they suffer themselves to be seduced from their friends. His Grace took infinite pains to unite the houses of *Russel* and *Wentworth*; lest, by the secret machinations of the Favourite (against whose pernicious influence no administration had hitherto been able to stand, the moment he chose to become their enemy), either of them should be seduced upon a mistaken principle of duty; when, in reality, it was a much more essential duty, and a matter of strict justice, to enquire after the author of the public grievances, than to connive any longer at the protection afforded

afforded him. With a view to the final accomplishment of this union, so extremely interesting to the welfare of the country, the Lords *Gower*, *Weymouth* and Mr. *Rigby*, dined with his Grace at *Claremont*: and a few days afterwards (July 5, 1767), the Marquis of *Rockingham*, and several of his friends, dined likewise with his Grace at the same place.

At this period we will leave the Opposition, and turn to the proceedings of the Court.

In consequence of the *verbal* answer received from *Hampstead*, the Favourite applied to his former associate, Lord *Holland*, who had so materially assisted him in procuring an approbation of the late peace, and other measures. That person sent him his advice on Sunday morning, July the fifth; soon after the receipt of which, the Favourite set out for *Richmond*; and it was remarkable, and much taken notice of at the time, that the King did not come to town that day. Whatever was the plan then adopted for a new arrangement of ministers is not exactly known. Certain it is, that
that

that part of the Opposition supposed to be the least hostile to the Favourite, was immediately applied to. The Duke of *Grafton* wrote a letter, by order of the Court, to the Marquis of *Rockingham*, "requesting his Lordship's return to court, to assist in the present critical situation of affairs." This naturally brought on an interview between the Duke and the Marquis: when, among other things, his Grace said, "That he was tired of his office, and wished his Lordship might be his successor." Lord *Rockingham* asked, "Whether his Grace said this from his own, or the authority of an higher power." The Duke said, "he could not answer that question." The conference broke off; but two days after was renewed; when Lord *Rockingham* asked the Duke, "Whether he was treating with the King's Minister, or with the Duke of *Grafton*."—The Duke answered, "with the King's Minister." Lord *Rockingham* then said, "he would not conclude upon any thing without the advice and participation of his friends."

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Applicati-
on to Lord
Rocking-
ham.

Accordingly, on Saturday July 11, he set out for *Wooburn*, the seat of the Duke of
Bedford,

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1767.

Declarati-
on of the
Duke of
Bedford.

Bedford, where he found Lord *Albemarle*, who had stopped there in his way to *Buxton*; when the above particulars being laid before his Grace, he said, "that as the Great Personage had made choice of the Marquis of *Rockingham* for his minister, he should readily acquiesce in that nomination, for the sake of putting an end to parties, and of restoring unanimity, so peculiarly wanting at this time in the management of the public business: but though he renounced all pretensions to any place or emolument for himself, yet he did not mean that his friends should, for that reason, be excluded: on the contrary, he stipulated, that they should be considered in the new arrangement; and upon that condition he cheerfully offered his support to the administration; and added, that if the King had made choice of himself to treat with, he should have expected the same kind of renunciation from his Lordship, regarding himself personally, and his friends should, in like manner, have been taken care of. However, his Grace said, that all this was conditionally only, for that he and Lord *Temple* and Mr. *Grenville* were one, and that he would not proceed without consulting them.—The
infor-

information given concerning the plan was, that as to measures, particularly American measures, Lord *Rockingham* hoped they might be settled to the joint satisfaction of the Duke of *Bedford*, Lord *Temple*, and Mr. *Grenville*, and as to men, Lord *Rockingham* declared for a wide and comprehensive system.—The answer returned to this communication by Lord *Temple* and Mr. *Grenville* was, that they concurred in the idea of a comprehensive administration, as the likeliest to be permanent, and that they were ready to support such an administration, though out of office (Mr. *Grenville* having before insisted, that his name should not be mentioned for any office, having determined long ago not to be obtruded on the King), provided they adopted such measures as could satisfy them, and particularly the capital measure of asserting and establishing the sovereignty of Great Britain over America; lastly, that if this were the case, though they did not mean to take places themselves, they would use their best offices with their friends to accept of honourable and becoming situations in government.

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Declaration
of Lord
Temple
and Mr.
Grenville.

It

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1767.

Declarati-
on of the
Duke of
Newcastle

It must not be forgot, that the Duke of *Newcastle* said precisely the same. Thus, these four great and respectable persons, of acknowledged ability and great experience, agreed to sacrifice themselves in order to restore tranquility to the public, unanimity to the King's councils, and to establish an able and permanent administration, composed of men of talents, judiciously selected from all parties. Lord *Rockingham* impressed with this idea, and following, as he had done, in his conferences with the Duke of *Bedford*, the advice and direction of his friend Lord *Albemarle*, returned to London, with full power to treat upon the formation of a new administration, upon a *broad and comprehensive system*. The Duke of *Grafton* was made acquainted with this, and desired to report it to the King, which he did on the 15th of July. His Majesty took two days to consider of it. On Friday the 17th, an answer was returned to the Duke of *Grafton* to this effect, "That the King adopted and approved of the idea of a *comprehensive system*, and hoped it was not meant to exclude his friends, and those about his person, for the rest he entirely agreed."

This

This answer being given to Lord *Rockingham*, his Lordship sent for the Duke of *Bedford*, who came to London on Sunday evening, the 19th of July.

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1767.

On Monday, July the 20th, it was agreed that there should be a meeting of the several persons in town, at Newcastle-house that day, and accordingly there came the Dukes of *Bedford*, *Newcastle*, *Richmond*, and *Portland*: the Marquis of *Rockingham*; the Earl of *Sandwich*; Viscount *Weymouth*; Mr. *Dowdeswell*, Mr. *Rigby*, and Admiral *Keppel*.

Conference at
Newcastle
House.

Mr. *Rigby* read a letter from Mr. *Grenville*, wherein that gentleman promised his support to the new administration, out of office, provided the dependance and obedience of the colonies were asserted and maintained. Much altercation instantly arose upon reading this letter. The Marquis of *Rockingham* was warm: the Duke of *Bedford* remarkably cool and temperate. At length, Lord *Sandwich* said, "that it was needless to debate about that letter, for he was certain they all meant the same thing; that their conduct respecting the colonies must

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must be regulated by the future behaviour of the colonies, and not by any regard or retrospect to former transactions. If the colonies, added his Lordship, are dutiful and loyal, there will be no occasion to exercise any extraordinary power over them; and if they should be otherwise, he did not doubt but all present, as well as their friends, would join in every proper and necessary measure to enforce obedience. This reasoning being approved of, and all uniting in the same sentiment, Mr. *Dowdeswell* took up the letter, and struck out the two words *asserted* and *maintained*, and put in *supported* and *established*. Here all altercation upon this subject entirely ended, Mr. *Rigby* folded up the letter, and put it into his pocket, and there was not another word uttered concerning it.

They then came to the arrangement of men to the great offices; the subject upon which they met. The Marquis of *Rockingham* proposed himself for the first Lord of the Treasury; with the powers usually annexed to that post, and Mr. *Dowdeswell* for his Chancellor of the Exchequer; to all which the Duke of *Bedford* agreed. The
Marquis

Marquis next proposed Mr. *Conway* for Secretary of State, and *Minister of the House of Commons*. To which the Duke of *Bedford* said, "that he had for two sessions seen sufficient proofs of Mr. *Conway's* inability in a civil capacity, ever to agree to that proposal; that he thought the military was Mr. *Conway's* proper line; that he had always entertained a very high opinion of him as a military officer; that he had not the least objection to Mr. *Conway's* being amply provided for on the military establishment; nay, to his being gratified to the utmost of his wishes."

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The Marquis of *Rockingham* said, "that it was a proposal from which he could not recede; and other words to the same effect. Upon which Mr. *Rigby* said, "that they stopt at the threshold, and that it was needless to go any further into the matter."

Conference
breaks off)

Here the conference ended.—No other particulars or conditions were even mentioned.

In a corrupt system of government, the *Minister of the House of Commons, or Mana-*

Import-
ance of the
minister of
the House
of Comm.

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ger,

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ger, as he is sometimes called, is the first *efficient** minister in the state. His consequence cannot be more clearly shewn than by the abrupt conclusion of the preceding conference.—After so many opposite interests had been reconciled, and so many great sacrifices had been made, to remove individual jealousies, and, to establish public harmony—all these were but a phantom—they all vanished in a moment—when the appointment of this *new Minister* came under discussion. Each party wished to nominate him. They differed, and separated upon that point only—not in a contention for places, but in a contention for *power*. Whoever is the minister of the House of Commons, has the power of supporting the measures of government. Lord *Rockingham* wanted Mr. *Conway*, because he intended to persevere in his own system, with respect to America. The Duke of *Bedford* intended to have nominated Mr. *Rigby*, because he intended to pursue the Court system, which Mr. *Grenville* had adopted, of

* A distinction first made use of by Lord *Mansfield*—between efficient and official—between confidential and ostensible.

taxing America. America was therefore the true cause of this conference breaking off. Subsequent events have proved, whose policy was right. Had Lord *Rockingham* been minister, America would still, in all probability, have belonged to the crown of Great Britain. Or had this system of appointing a minister of the House of Commons been abandoned, that, and other important benefits, would, no doubt, have continued; because the members would have been left to the free exercise of their own judgment.

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America
the true
cause.

It is impossible to dismiss this point without a short apostrophe on the alarming state of British depravity. If the administration of annual bribes to the Members of the Legislature, independent of the influence of places, public and private, is become so necessary, and the practice so mechanical as to comprise the *most essential department* of government—is it not a matter of indelible disgrace on the nation, and on the constitution? There is no species of corruption to be found in the ancient governments that equals it. It is a perfect parricide. The British empire has been dismembered by it

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1767

—so fatally true is that maxim of Lord Burleigh, “*that England can never be undone but by her Parliament**.”

Notwith-

* Of the many FACTS which might be stated, the following may serve for a specimen :

Towards the end of the session, the Secretary of the Treasury, Mr. *Bradshaw*, one day accosts Mr. *Lowndes* (Member for Bucks) with, *Sir, you have voted with us all the winter; some return is usually expected upon these occasions; and as we are much obliged to you for your constant support, if you chuse to accept of two hundred Lottery Tickets, at Ten Pounds each, they are at your service.* Mr. *Lowndes* bowed, expressed his great friendship for the Secretary, and accepted of the offer; adding only, That as the session was just upon the close, he should, as soon as it was finished, go into the country upon his private affairs; and begged the tickets might be sent to such a one, his banker; which the Secretary having promised to comply with, they parted. Mr. *Lowndes* went to Winslow. The tickets were delivered: none, however, were sent to Mr. *Lowndes's* banker. The reason of which was, they had been distributed among that part of the Common Council who voted against the Livery having the use of Guildhall. Mr. *Lowndes*, hearing nothing of the tickets, wrote to his banker, who returned for answer, that he had not received nor heard of, any tickets. Mr. *Lowndes* next wrote to Mr. *Bradshaw*, who in his answer, “*begged a thousand pardons; that the matter had quite slipped his memory; that the tickets were all disposed of, except five and-twenty, which were at his service.*” Mr. *Lowndes* meanly accepted of the twenty-five, and they were sent to his banker's.—By these tickets he probably cleared about one hundred pounds. Such was his *douceur* for voting one session with the Duke of *Grafton*.

In a late Parliament; the Nabob of *Arcot* had nine members in his interest—Might not any European prince have twice that number by the same means?—Do not these facts speak stronger than a thousand arguments, the necessity of a Parliamentary Reform?

But

Notwithstanding the conference ended in the manner that has been already related, the

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But it is further remarkable, and in the breast of every honest man it must be matter of sincere lamentation, that douceurs have been given even to the Judges.—Sir *Richard Aston*, in particular, was seen selling his tickets in 'Change Alley; and when the fact was mentioned to him at the Old Bailey at dinner, he confessed it, and said, he had as good a right to sell his tickets as Mr. Justice *Willet*, or any body else.—Is not this circumstance a full answer to all the encomiums on the independence of the Judges?

But what Mr. Alderman *James Townsend* said in the House of Commons, on the sixth day of December 1770, is, if possible, of more importance than the preceding. “I am afraid,” he said, “that there is too great a vicinity between Westminster-hall and St. James’s. I suspect, and the people suspect, that their correspondence is too close and intimate. But why do I say it is suspected? It is a known avowed fact. A late Judge, equally remarkable for his knowledge and integrity, was tampered with by administration. He was solicited to favour the Crown in certain trials, which were then depending between the Crown and the subject. I hear some gentlemen desiring me to name the Judge: but there is no necessity for it. (*Sir Joseph Yates was the Judge meant.*) The fact is known to several members of this House; and if I do not speak truth, let those who can, contradict me. I call upon them to rise, that the public may not be abused—but all are silent, and can as little invalidate what I have said, as what I am going to say. This great, this honest Judge, being thus solicited in vain, what was now to be done? What was the last resource of baffled injustice? *that* was learned from a short conversation which passed between him and some friends, a little before his death. The last and most powerful engine was applied. A letter was sent him directly from a Great Personage: but as he suspected it to contain something dishonourable, he sent it back unopened. He could not die in peace ’till he had disclosed this scene of iniquity!”

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the Earl of *Sandwich* having occasion to make a visit to the Duke of *Newcastle*, his Lordship went next morning (Tuesday, July 21), when the Duke took an opportunity of resuming the subject of the preceding conference: "He earnestly conjured his Lordship to exert his abilities, and employ all his good offices in endeavouring to reconcile the parties who had differed; he urged again, and again, the necessity of their agreeing upon this important occasion; he trembled for the mischiefs and dangers which must arise from a division of their strength and interest; and concluded with repeatedly supplicating in the strongest terms, that they might be brought together again at his house that evening." Lord *Sandwich* waited on the Duke of *Bedford*; and the Duke of *Newcastle* went himself to the Marquis of *Rockingham*. Accordingly the following five

And in a pamphlet, published by *Robert Morris*, Esq. of Lincoln's Inn, entitled, *A Letter to Sir Richard Aston*, are these words, "Whilst the offence of libelling is treated as the most dangerous, hateful, and flagitious, the King is consulted upon the revenge which he would chuse to take upon his admonishers; for it was manifest, from Mr. Justice *Aston's* Speech, upon the case of one of the publishers of *Junius's Letters*, [*Prosecution of Mr. A.*] that his Majesty was not quite out of the secret of *that* prosecution." Page 37.

met at Newcastle-house that evening, viz. the Dukes of *Bedford* and *Newcastle*, the Marquis of *Rockingham*, Mr. *Dowdeswell*, and Mr. *Rigby*. When the Marquis insisting on the proposal he had before made respecting Mr. *Conway*, and declaring that he would not agree to any arrangement in which Mr. *Conway* was not included in that capacity; and the Duke of *Bedford* refusing to agree to it, the conference finally broke off.

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1707.

Second
conference
at Newcas-
tle-house.

Next day, Wednesday, the Marquis of *Rockingham* waited on the King at St. James's, and respectfully acquainted his Majesty, that he had met his friends, who had agreed to his proposal of his being first Lord of the Treasury; but that they had differed in providing for Mr. *Conway*, and that in consequence of that difference, he had no plan of administration to lay before him. The King thanked his Lordship for the pains he had taken, and the regard he had shewn for his service; but added, *that he never knew the Treasury was intended for his Lordship* *.

Ld. Rock-
ingham
waits on
the King.

F 4

* The moment the Marquis of *Rockingham* came out of the King's closet, Lord *Holland* was immediately introduced to his Majesty;

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From the conclusion of this answer it is clear, that either the Marquis of *Rockingham* greatly mistook the Duke of *Grafton* in the conferences he had with his Grace; or that his Grace was not sufficiently explicit in his conversations with the Marquis.

The Marquis of *Rockingham* waited on the Duke of *Bedford* (Thursday July 23), and expressed his desire that no difference might arise between them on account of what had passed, but that they might

Majesty; with whom he continued for some time.—In Lord *Bath's* pamphlet (*Seasonable Hints*, edit. 1761, p. 37), of which Mr. *Burke* says, (*Thoughts on Discontents*, edit. 1770, p. 23), “there first appeared the idea of separating the Court from the administration,”—is the following paragraph:—

“Though the wings of prerogative have been clipt, the influence of the Crown is greater than ever it was in any period of our history. For, when we consider in how many boroughs the Government has the voters at its command; when we consider the extensive influence of the money corporations, subscription jobbers, and contractors; the endless dependence created by the obligations conferred on the bulk of the gentlemens’ families throughout the kingdom, who have relations preferred, in our navy, and numerous standing army: when, I say, we consider how wide, how binding a dependence on the Crown is created by the above particulars; and the great, the enormous weight and influence which the Crown derives from this extensive dependence upon its favours and power; any lord in waiting, any lord of the bed-chamber, any man, may be appointed Minister.”

A doctrine to this effect was the advice which Lord *Holland* gave his Majesty.

continue

continue in the same union and friendship as before,

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XXXIII.

1767.

On Friday July 24, Mr. *Conway* attempted to renew the negociation with the Marquis of *Rockingham*, separately; but the Marquis refused to leave his friends.

All negociation being now at an end, the leading persons in administration met to consider on what should be their future conduct. They all agreed to remain in their places,

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Mr. Townshend resolves to be Minister—Dies—Lord North appointed—Lord Chatham goes into Somersetshire—The Bedford Interest join the Ministry—Duke of Bedford's Apology to Mr. Grenville, and Mr. Grenville's Answer—Lord Chatham returns to Hayes—French purchase Corsica—Difference between the Duke of Bedford and Lord Shelburne—Lord Rochford resigns—Lord Shelburne resigns—Fine Diamond Ring presented to his Majesty—Lord Rochford made Secretary of State, with the Reasons—Lord Chatham resigns—Lord Bute goes abroad—Lord Townshend continued in Ireland.

C H A P.
XXXIV.

1767.

Mr Town-
shend re-
solves to be
Minister.

MR. TOWNSHEND observing, that no notice had been taken of him in the preceding negociations for a change of ministers, resolved to resent this contempt, with which he had been treated. Administration had been for some time without a leader, and was still considered to be in want of one. Lord *Chatham* was thought to be irrecoverable. This situation seemed to afford him an opportunity for the uncontrouled exercise of his talents. He determined

terminated to embrace it. Therefore he instantly joined the Court, with the most full and explicit declaration of sincerity *. His alliance was favourably received; and he gave a proof of his power, by creating his lady an English Peeress, with the remainder to his son. Had he lived, he would have been first Lord of the Treasury before the ensuing session of Parliament; and Mr. *Yorke* was to have been his Chancellor. His death, which happened early in the month of September, threw both the Court and the Ministry into fresh difficulties. Every effort had been made to form a new administration in vain. Every party had been solicited, individuals separately, and connections jointly, without success. But there was one part of the Royal Family that had not publicly appeared in any of these negotiations; this was the *Princess of Wales*.

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XXXIV.

1767.

Dica.

Mr. *Townshend's* place of Chancellor of the Exchequer was offered to several Gentlemen, who refused to accept of it. At length it was thought of giving it to Lord

* He brought in the bill laying a duty upon tea in America, (See Appendix W.)

Barrington

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1767.

Ld. North
appointed

Barrington, pro tempore. Lord Mansfield attempted to open a negociation with the Duke of Bedford. But his Grace refused to enter into any separate treaty. Lord North, who, during Mr. Grenville's administration, had been entrusted with all the motions against Mr. Wilkes, was desired to succeed Mr. Townshend, but he declined it. The Princess of Wales went to the King. His Lordship was again entreated—he took time to consider of it—he consulted his father.—After hesitating three weeks, he yielded. The Princess's influence prevailed. Mr. Thomas Townshend, now Lord Sydney, succeeded Lord North at the Pay office, and Mr. Jenkinson, now Lord Liverpool, succeeded Mr. Townshend at the Treasury.

Ld. Chatham goes
to Somersetshire.

In making this arrangement, no communication was had with Lord Chatham, by either the Court, or the Ministry. As soon as his health permitted, he retired into Somersetshire. His departure from the vicinity of the metropolis, though he had not been consulted in any business whatever, was considered by the Ministry as a kind of dereliction of public business. However, he continued to hold the Privy Seal.

The

The Duke of *Grafton*, who sometime ago wished to resign, on account of Lord *Chatham's* infirmity*, now changed his opinion; but Lord *Northington* and General *Conway* still expressing their desire to resign, his Grace resolved to try the friends of the Duke of *Bedford* once more. If they had refused, he must have resigned, and a new administration must have been formed. But the persons to whom his Grace made his offers, could not withstand the temptation any longer; they separated from their friends and allies; thereby preventing the appointment of an able and powerful administration, and bargained to support the present, which seemed to consist of the remnants and refuse of all parties. Lord *Gower* was made Lord President, in the room of Lord *Northington*; Lord *Weymouth*, Secretary of State, in the room of Mr. *Conway*; Mr. *Rigby*, Vice-Treasurer of Ireland, in the room of Mr. *Oswald*, who had a large pension and a lucrative reversion. Lord *Hillsborough* was

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Bedford
interest
join the
Ministry.

* Lord *Bristol* gave the same reason for resigning the Lieutenancy of Ireland at the end of July, "That he had no hope of having the advice, direction, and assistance of Lord *Chatham*." Upon which Lord *Townshend* was appointed.

made

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D. of Bedford's apology.

made Secretary of State for America*. Lord *Sandwich*, made Post-master, &c. While the negociation for these changes was under consideration, the Duke of *Bedford* said to Mr. *Grenville*, 'That he hoped it would not be considered as a breach of good faith, if his friends thought themselves at liberty to accept of any offers which might be made to them of public employments.'

Mr. Grenville's answer.

Mr. *Grenville* replied, "That he left to his Grace's own judgment, whether, setting every private compact and agreement aside, the accession of his friends to the present

* The creation of this new office, and the character of the noble Lord who was appointed to it, were such strong marks of the designs, the plan, and the resolution taken, with respect to the Colonies, that an alarm instantly went forth amongst them. Nothing could more clearly signify, that the Court were preparing to make them the objects of some extraordinary measure—since another Secretary of State, with a compleat establishment of office, had been appointed separately and distinctly, for this department—at a time of great inconvenience to his Majesty—when the Civil List was deeply in arrear. His Lordship's first important act of office, was sending Lord *Botetourt*, Governor of Virginia; and his apology for it was, *That the nomination came from a higher authority.*

Lord *Chesterfield* says in his Letters, that Lord *Bute* was backwards and forwards at this time—from Luton to London.

Ministry,

Ministry, was not a breach of good faith to themselves, and to the public?"

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Before these negotiations were concluded, Lord *Chatham* returned from Somersetshire to his old seat, at Hayes, in Kent; but so exceedingly ill and infirm, he was quite unable to transact any business. Early in the month of February 1768, the Privy Seal being officially necessary, was put into commission for a few weeks, but in the month of March it was re-delivered to him. The Duke of *Grafton*, who had been to him the most obsequious of men, and was now proceeding at the helm without that pilot, whom he lately deemed indispensable, did not venture to turn him out, though Lord *Bristol*, and Lord *Egmont* were candidates for his place.

Lord
Chatham
returns to
Hayes;

1768¹

Parliament met on the 24th of November 1767, and was dissolved on the 12th of March 1768. Lord *Chatham* did not attend during the session.

A few weeks before the dissolution of Parliament, Mr. *Wilkes* returned again to England, and at the general election was
elected

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elected Member for the county of Middlesex. All the circumstances of which have been amply related in several publications.

French
purchase
Corfica.

During the last year, the French Court purchased of the Genoese, the claim of that republic to the island of Corfica. And this year a French army landed on the island to take possession of it. This was an unprecedented kind of purchase. The French might, with the same propriety, have purchased the Spanish claim to the Netherlands, or Jamaica. This addition to the French monarchy, alarmed the courts of London and Turin. Mr. *George Pitt*, (afterwards Lord *Rivers*), the British Minister at Turin, having resigned at the general election, on the promise of a peerage, the Ministry were divided on the appointment of a successor. Lord *Lansdown*, then Lord *Shelburne*, was for Lord *Tankerville**, and the Duke of *Bedford* for Sir *W. Lynch*. The latter was appointed. But this was not the only instance in which the Secretary of State had

Difference
between
the Duke
of Bed-
ford and
Ld. Shel-
burne.

Five Lords
in favour
of Ame-
rica.

* His Lordship was one of the five Lords who voted against the American Declaratory Bill in 1766. The other four were the Lords Cornwallis*, Torrington, Shelburne, and Camden.

* For this vote Lord Chatham made Dr. Cornwallis Archbishop of Canterbury.

been

been over-ruled, in the affair of Corfica. He considered the accession of Corfica to France, an object of importance to Great-Britain; and being deeply impressed with this opinion, he instructed Lord *Rochford*, the British Minister at the French Court, to remonstrate strongly against this acquisition to France. The French Minister treated the remonstrance with contempt. The fact is, he knew the sentiments of the British Court better than the British Minister. In a short time, Lord *Rochford* found that his instructions were disavowed by his own court. Upon receiving this information, he resigned his diplomatic character, and returned to London. The Secretary of State now discovering the dupe he had been made, and the deceptions which had been practised upon him, resigned also *. When

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Ld. Roch-
ford re-
signs.Ld. Shel-
burne re-
signs.

* But Sir *John Macpherson*, in his memorial [printed in the answer to the letter from *Mahomet Ali Chan*. Appendix, page xii.] says, "the Earl of *Shelburne* was dismissed at the instigation of the Duke of *Grafton*." We learn also from this memorial, That his Majesty was graciously pleased to receive from the Nabob of *Arcot*, whose forts are garrisoned by our troops, and whose army is commanded by our officers, a fine diamond ring, through the hands of Governor *Palk*. The world is not ignorant of many other magnificent presents from the East. But as the Governor was once in holy orders, the ceremony of investing the royal finger with this mystic sign of alliance, may be considered as something divine.

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Ld. Roch-
ford made
Secretary
of State,

the court of Turin saw that the British cabinet were indifferent to the aggrandizement of France, the King of Sardinia immediately attached himself to the house of Bourbon. Upon the resignation of Lord *Lansdown*, Lord *Rochford* was made Secretary of State, in the month of October 1768. But to relieve the French Minister from the indelicacy of corresponding with a person whose veracity he had disputed, Lord *Weymouth*, now Lord *Bath*, was removed from the Northern, and placed in the Southern Department, and Lord *Rochford* was made successor to Lord *Weymouth*.

With the
reasons.

Lord *Rochford* was made Secretary of State through fear, not through friendship. The chiefs of the interior Cabinet dreaded his laying open the scene of negotiation at Paris. If he had laid this information before Parliament, the whole machinery of the ministry must have fallen to pieces. The system of a Double-Cabinet must have become so apparent to the whole nation, and the hypocrisy of the Court so perfectly unveiled, that it may be presumed, from the ordinary feelings of mankind to repeated insults and indignities, that no man of the
smallest

smallest spark of honour, who was not leagu'd with the Court, as *party* in some criminal transaction, or deeply distressed for the means of subsistence, would continue one moment to uphold, or connive at, a system, that had for its objects, the debasement of the English nobility, the extension of the power of the Crown, and the humiliation of the pride of the nation.—But Lord ***** wanted another place, and upon condition of his silence, he was gratified. Thus the French got Corsica. What they gave for it, the prudence of the parties has hitherto concealed*.

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* On the first of August 1768, (the anniversary of the Hanoverian succession) Lord *Bute*, set out for the Baresges in the South of France. In the succeeding winter, a violent dispute arising between Lord *Townshend*, Lord Lieutenant of Ireland, and several of the great Lords of that kingdom, the ministry conceived it necessary to change the Lord Lieutenant; but they could not agree in the choice of a successor. The Duke of *Bedford* was for Lord *Sandwich*, and the Duke of *Grafton* for Lord *Harcourt*. The disagreement occasioned the return of Lord *Bute*, in the autumn of the year 1769. He settled the difference between these Dukes, by not accepting the recommendation of either; but continuing Lord *Townshend*, who had been appointed under his own influence. Their Graces submitted to his controul: and then he returned to the Continent. This accounts for Lord *Townshend* staying in Ireland four years, being the time of the usual residence of two Lord Lieutenants.

Ld. Bute
goes a-
broad.Ld. Town-
shend con-
tinued in
Ireland.

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1768.

Ld. Chat-
ham re-
signs.

Lord *Chatham* had for some time entertained thoughts of resigning. This event decided him. The appointment of Lord *Hillsborough*, Secretary of State for the Colonies, was such an outrage of his American system (see appendix X.) and the achievement of Corsica, by France, was such an abandonment of his European policy, that they were the principal causes of his resignation. He did not go to Court when he resigned, but sent the Privy Seal by Lord *Camden*.

This was the last place he held under the Crown.

His resignation was an event that had been long expected, and therefore it occasioned no surprise to the public, nor distress to the ministry. The Duke of *Grafton* having completed his alliance with the *Bedford* interest, esteemed himself fully adequate to all the difficulties and burthens of the state. Lord *Camden* attached himself to his Grace, and continued in office.

CHAP.

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Reconciliation between Lord Chatham and Lord Temple. — Distraction of the Country. — Lord Chatham's Speech on the Address at the beginning of the year 1770.

LORD CHATHAM had unceasingly lamented his difference with Lord Temple, from the time it happened; and being now emancipated from the connexions of office, and even from the suspicion of a connexion with the Court, he sought the friendship of his brother with anxiety and sincerity. On this occasion he made Mr. Calcraft his confidant. He confessed to him, that almost every body else had betrayed him—his brother, he said, had indeed abused him; but it was in the warmth of his temper, and in the openness of his nature, which was superior to all hypocrisy, or concealment of disapprobation. Mr. Calcraft approved himself a cordial and assiduous mediator. He accomplished their reconciliation: they had no more differences afterwards; and they were, if possible, more

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1768.

Ld. Temple and
Ld. Chatham reconciled.

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affectionately united than ever they had been. Mr. *Grenville* perfectly acceded to the union.

Disfranchisement of the country.

Parliament met on the eighth of November. A great part of the session was occupied by the several expulsions of Mr. *Wilkes*, and questions concerning the Middlesex election. Lord *Chatham* did not attend during the session. Rest and retirement he found were the best preservatives against the return of his disorder. But to his friends he declared, in the strongest terms, his thorough detestation of those measures. Petitions from several counties, cities, and large towns, were presented to the King, against them, but without any effect. The dearest rights of the people were sacrificed to personal resentment. The corruption of Parliament is become a grievance of the first magnitude. When the Court can command the Legislature, the Constitution is at an end. The case of the Middlesex election, is an indisputable evidence of this melancholy truth.

The session closed on the ninth of May, 1769.

The

The respite which Lord *Chatham* gave himself from all kinds of business, and the happiness he enjoyed in the reconciliation of his relations, so largely contributed to the restoration of his health, that, on the approach of the following session, he found himself able to attend the labours of Parliament.

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1769.

The next session was opened on the ninth day of January, 1770. The discontents which pervaded the whole nation, stimulated him to the most vigorous exertion of his talents. He considered the conduct of the House of Commons, on all the questions concerning the Middlesex election, as wholly unconstitutional. He attended on the first day. His speeches on that day have fortunately met with a better fate than many of his former speeches; for they were accurately taken by a gentleman of strong memory, now a member of the House of Commons, and from his notes they are here printed.

1770.

The motion for an Address was made by the Duke of *Ancafter*, and seconded by Lord *Dunmore*.

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1770.

Lord
Chatham's
speech on
the ad-
dress.
M. S.

“ Earl of *Chatham*, after some compli-
ment to the Duke of *Ancafter*, took notice
how happy it would have made him to
have been able to concur with the noble
Duke in every part of an Address, which
was meant as a mark of respect and duty
to the Crown—professed personal obliga-
tions to the King, and veneration for him;
that, though he might differ from the noble
Duke in form of expressing his duty to the
Crown, he hoped he should give his Majesty
a more substantial proof of his attachment
than if he agreed with the motion. That,
at his time of life, and loaded as he was
with infirmities, he might, perhaps, have
stood excused if he had continued in his re-
tirement, and never taken part again in
public affairs. But that the alarming
state of the nation called upon him, forced
him to come forward once more, and to
execute that duty which he owed to
God, to his sovereign, and to his coun-
try; that he was determined to per-
form it, even at the hazard of his life.
That there never was a period which
called more forcibly than the present, for
the serious attention and consideration of
that house; that as they were the grand
hereditary

hereditary Counsellors of the Crown, it was particularly their duty, at a crisis of such importance and danger, to lay before their Sovereign the true state and condition of his subjects, the discontent which universally prevailed amongst them, the distresses under which they laboured, the injuries they complained of, and the true causes of this unhappy state of affairs.

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“ That he had heard with great concern of the distemper among the cattle, and was very ready to give his approbation to those prudent measures which the Council had taken for putting a stop to so dreadful a calamity. That he was satisfied there was a power in some degree arbitrary, with which the Constitution trusted the Crown, to be made use of under correction of the Legislature, and at the hazard of the Minister, upon any sudden emergency, or unforeseen calamity, which might threaten the welfare of the people, or the safety of the state. That on this principle he had himself advised a measure, which he knew was not strictly legal ; but he had recommended it as a measure of necessity, to save a starving

ing

ing people from famine, and had submitted to the judgment of his country.

“ That he was extremely glad to hear what he owned he did not believe when he came into the House, that the King had reason to expect that his endeavours to secure the peace of this country would be successful, for that certainly a peace was never so necessary as at a time when we were torn to pieces by divisions and distractions in every part of his Majesty’s dominions. That he had always considered the late peace, however necessary in the then exhausted condition of this country, as by no means equal in point of advantage to what he had a right to expect from the successes of the war, and from the still more exhausted condition of our enemies. That having deserted our allies, we were left without alliances, and during a peace of seven years, had been every moment on the verge of a war: that, on the contrary, France had attentively cultivated her allies, particularly Spain, by every mark of cordiality and respect. That if a war was unavoidable, we must enter into it without a single ally, while

while the whole House of Bourbon was united within itself, and supported by the closest connexions with the principal powers in Europe. That the situation of our foreign affairs was undoubtedly a matter of moment, and highly worthy their Lordships' consideration; but that he declared with grief, there were other matters still more important, and more urgently demanding their attention. He meant the distractions and divisions which prevailed in every part of the empire. He lamented the unhappy measure which had divided the colonies from the mother country, and which he feared had drawn them into excesses which he could not justify. He owned his natural partiality to America, and was inclined to make allowance even for those excesses. That they ought to be treated with tenderness; for in his sense they were ebullitions of liberty, which broke out upon the skin, and were a sign, if not of perfect health, at least of vigorous constitution, and must not be driven in too suddenly, lest they should strike to the heart. He professed himself entirely ignorant of the present state of America, therefore should be cautious of giving any opinion of the measures fit to be pursued

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pursued with respect to that country. That it was a maxim he had observed through life, when he had lost way, to stop short, lest by proceeding without knowledge, and advancing (as he feared a noble Duke had done) from one false step to another, he should wind himself into an inextricable labyrinth, and never be able to recover the right road again. That as the House had yet no materials before them, by which they might judge of the proceedings of the colonies, he strongly objected to their passing that heavy censure upon them, which was conveyed in the word *unwarrantable*, contained in the proposed address. That it was passing a sentence without hearing the cause, or being acquainted with facts, and might expose the proceedings of the House to be received abroad with indifference or disrespect. That if *unwarrantable* meant any thing, it must mean illegal; and how could their Lordships decide that proceedings, which had not been stated to them in any shape, were contrary to law? That what he had heard of the combinations in America, and of their success in supplying themselves with goods of their own manufacture, had indeed alarmed him
much

much for the commercial interests of the mother country ; but he could not conceive in what sense they could be called illegal, much less how a declaration of that House could remove the evil. That they were *dangerous* indeed, and he greatly wished to have that word substituted for unwarrantable. That we must look for other remedies. That the discontent of two millions of people deserved consideration ; and the foundation of it ought to be removed. That this was the true way of putting a stop to combinations and manufactures in that country ; but that he reserved himself to give his opinion more particularly upon this subject, when authentic information of the state of America should be laid before the House ; declaring only for the present, that we should be cautious how we invade the liberties of any part of our fellow subjects, however remote in situation, or unable to make resistance. That liberty was a plant that deserved to be cherished ; that he loved the tree, and wished well to every branch of it. That, like the vine in the Scripture, it had spread from east to west, had embraced whole nations with its branches, and sheltered them under its leaves.

That

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That the Americans had purchased their liberty at a dear rate, since they had quitted their native country, and gone in search of freedom to a desert.

‘ That the parts of the address which he had already touched upon, however important in themselves, bore no comparison with that which still remained. That indeed there never was a time, at which the unanimity recommended to them by the King, was more necessary than at present; but he differed very much from the noble Duke, with respect to the propriety or utility of those general assurances contained in the latter part of the address. That the most perfect harmony in that House would have but little effect towards quieting the minds of the people, and removing their discontent. That it was the duty of that House to enquire into the causes of the notorious dissatisfaction expressed by the whole English nation, to state those causes to the Sovereign, and then to give him their best advice in what manner he ought to act. That the privileges of the House of Peers, however transcendant, however appropriated to them, stood in
fact

fact upon the broad bottom of the people. They were no longer in the condition of the barons, their ancestors, who had separate interests and separate strength to support them. The rights of the greatest and of the meanest subjects now stood upon the same foundation: the security of law, common to all. It was therefore their highest interest, as well as their duty, to watch over, and guard the people; for when the people had lost their rights, those of the Peerage would soon become insignificant. To argue from experience, he begged leave to refer their Lordships to a most important passage in history, described by a man of great abilities, Mr. *Robertson*. This writer, in his life of *Charles the Fifth* (a great, ambitious, wicked man), informs us that the Peers of Castile were so far cajoled and seduced by him, as to join him in overturning that part of the Cortez, which represented the people. They were weak enough to adopt, and base enough to be flattered with an expectation, that by assisting their master in this iniquitous purpose, they should encrease their own strength and importance. What was the consequence? They exchanged the constitutional

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onal authority of Peers, for the titular vanity of Grandees. They were no longer a part of a Parliament, for *that* they had destroyed; and when they pretended to have an opinion as Grandees, he told them he did not understand it; and naturally enough, when they had surrendered their authority, treated their advice with contempt. The consequences did not stop here. He made use of the people whom he had enslaved to enslave others, and employed the strength of the Castilians to destroy the rights of their free neighbours of Arragon.

‘ My Lords, let this example be a lesson to us all. Let us be cautious how we admit an idea, that *our* rights stand on a footing different from those of the people. Let us be cautious how we invade the liberties of our fellow-subjects, however mean, however remote; for be assured, my Lords, that in whatever part of the empire you suffer slavery to be established, whether it be in America or in Ireland, or here at home, you will find it a disease which spreads by contact, and soon reaches from the extremities to the heart. The man who has lost his own freedom, becomes
from

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from that moment an instrument in the hands of an ambitious prince, to destroy the freedom of others. These reflections, my Lords, are but too applicable to our present situation. The liberty of the subject is invaded, not only in provinces, but here at home. The English people are loud in their complaints: they proclaim with one voice the injuries they have received: they demand redress, and depend upon it, my Lords, that one way or other, *they will have* redress. They will never return to a state of tranquillity until they *are* redressed; *nor ought they*; for in my judgement, my Lords, and I speak it boldly, it were better for them to perish in a glorious contention for their rights, than to purchase a slavish tranquillity at the expence of a single iota of the Constitution. Let me entreat your Lordships, then, in the name of all the duties you owe to your Sovereign, to your country, and to yourselves, to perform that office to which you are called by the Constitution; by informing his Majesty truly of the condition of his subjects, and of the real cause of their dissatisfaction. I have considered the matter with most serious attention; and as I have not in my

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own breast the smallest doubt that the present universal discontent of the nation arises from the proceedings of the House of Commons upon the expulsion of Mr. *Wilkes*, I think that we ought, in our address, to state that matter to the King. I have drawn up an amendment to the address, which I beg leave to submit to the consideration of the House :

“ And for these great and essential purposes, we will with all convenient speed take into our most serious consideration, the causes of the discontents which prevail in so many parts of your Majesty’s dominions, and particularly the late proceedings of the House of Commons, touching the incapacity of *John Wilkes*, Esq. (expelled by that House) to be elected a member to serve in this present Parliament, thereby refusing (by a resolution of one branch of the Legislature only) to the subject his common right, and depriving the electors of Middlesex of their free choice of a representative.”

• The cautious and guarded terms in which this amendment is drawn up, will, I hope, reconcile every noble Lord who
hears

hears me to my opinion; and as I think
 no man can dispute the truth of the facts,
 so I am persuaded no man can dispute the
 propriety and necessity of laying those facts
 before his Majesty.

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* Lord *Mansfield**. He began with affirming, that he had never delivered any opinion upon the legality of the proceedings of the House of Commons on the Middlesex election, nor should he now, notwithstanding any thing that might be expected from him. That he had locked it up in his own breast, and it should die with him: that he wished to avoid speaking on the subject; but that the motion made by the noble Lord, was of a nature too extraordinary and too alarming, to suffer him to be silent. He acknowledged the unhappy distracted state of the nation; but *he* was happy enough to affirm, with a safe conscience, that he had no ways contributed to it. That, in his own opinion, declarations of the law made by

Ld. Mansfield's
 Speech.
 M. 8.

* This noble Lord's answer (taken also from the same Gentleman's notes) it is necessary to insert, on account of Lord *Chatham's* reply, which follows it.

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either House of Parliament were always attended with bad effects: he had constantly opposed them whenever he had an opportunity. and in his judicial capacity thought himself bound never to pay the least regard to them. That although thoroughly convinced of the illegality of general warrants, which, indeed, naming no persons, were no warrants at all, he was sorry to see the House of Commons by their vote declare them to be illegal. That it looked like a legislative act, which yet had no force nor effect as a law: for supposing the House had declared them to be legal, the Courts in Westminster would nevertheless have been bound to declare the contrary; and consequently to throw a disrespect upon the vote of the House: but he made a wide distinction between the general declarations of law, and the particular decision which might be made by either House, in their judicial capacity, upon a case coming regularly before them, and properly the subject of their jurisdiction. That here they did not act as Legislators, pronouncing abstractly and generally what the law was, and for the directions of others; but as Judges, drawing the

the law from the several sources from which it ought to be drawn, for their own guidance in deciding the particular question before them, and applying it strictly to the decision of that question. That, for his own part, wherever the Statute law was silent, he knew not where to look for the law of Parliament, or for a definition of the privileges of either House, except in the proceedings and decisions of each House respectively. That he knew of no parliamentary code to judge of questions depending upon the judicial authority of Parliament, but the practice of each House, moderated or extended according to the wisdom of the House, and accommodated to the cases before them. That a question touching the seat of a Member in the Lower House, could only be determined by that House; there was no other Court where it could be tried, nor to which there could be an appeal from their decision. That wherever a Court of Justice is supreme, and their sentence final (which he apprehended no man would dispute was the case in the House of Commons, in matters touching elections), the determination of that Court must be received and submitted to as the

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1779.

law of the land; for if there be no appeal from a judicial sentence, where shall that sentence be questioned, or how can it be reversed? He admitted that Judges might be corrupt, and their sentences erroneous; but these were cases, for which, in respect to Supreme Courts, the Constitution had provided no remedy. That if they wilfully determined wrong, it was iniquitous indeed, and in the highest degree detestable. But it was a crime, of which no human tribunal could take cognizance, and it lay between God and their consciences. That he avoided entering into the merits of the late decision of the House of Commons, because it was a subject he was convinced the Lords had no right to enquire into, or discuss. That the amendment proposed by the noble Lord threatened the most pernicious consequences to the nation, as it manifestly violated every form and law of Parliament, was a gross attack upon the privileges of the House of Commons, and, instead of promoting that harmony which the King had recommended, must inevitably throw the whole country into a flame. That there never was an instance of the Lords enquiring into the proceedings of the House
of

of Commons with respect to their own Members ; - much less of their taking upon them to censure such proceedings, or of their advising the Crown to take notice of them. If, indeed, it be the noble Lord's design to quarrel with the House of Commons, I confess it will have that effect, and immediately. The Lower House will undoubtedly assert their privileges, and give you vote for vote. I leave it, therefore, to your Lordships, to consider the fatal effects which may arise in such a conjuncture as the present, either from an open breach between the two Houses of Parliament, or between the King and the House of Commons. But, my Lords, if I could suppose it were even adviseable to promote a disagreement between the two Houses, I would still recommend it to you to take care to be in the right; whenever I am forced into a quarrel, I will always endeavour to have justice on my side. Now, my Lords, admitting the House of Commons to have done wrong, will it mend the matter for your Lordships to do ten times worse? and that I am clearly convinced would be the case, if your Lordships were obliged to declare

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any opinion of your own, or offer any advice to the Crown, on a matter in which, by the Constitution of this country, you have no right whatever to interfere. I will go farther, my Lords; I will affirm, that such a step would be as ineffectual as it would be irregular. Suppose the King, in consequence of our advice, should dissolve the Parliament (for that, I presume, is the true object of the noble Lord's amendment), the next House of Commons that meets, if they know any thing of their own privileges, or the laws of this country, will undoubtedly, on the very first day of the session, take notice of our proceedings, and declare them to be a violation of the rights of the Commons. They must do so, my Lords; or they will shamefully betray their constituents and themselves. A noble Lord (*Lord Marchmont*) near me, has proposed, that we should demand a conference with the other House. It would be a more moderate step, I confess, but equally ineffectual. The Commons would never submit to discuss their own privileges with the Lords. They would not come to a conference upon such a subject; or if they did come, they would soon break it up with indignation. If, then, the
Commons

Commons have done wrong, I know of no remedy, but either that the same power should undo the mischief they have done, or that the case should be provided for by an act of the legislature. That, indeed, might be effectual. But whether such a remedy be proper or necessary in the present case, or whether, indeed, it be attainable, considering that the other House must give their consent to it, is not a question now before us. If such a bill should be proposed, it will be regular and Parliamentary, and we may then, with propriety, enter into the legal merits of the decision of the House of Commons. As for the amendment proposed by the noble Lord, I object to it as irregular and unparliamentary. I am persuaded, that it will be attended with very pernicious consequences to this country, and that it cannot possibly produce a single good one.

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Earl of *Chatham*. ‘ My Lords, there is one plain maxim, to which I have invariably adhered through life: That in every question, in which my liberty, or my property were concerned, I should consult and be determined by the dictates of common sense.

Lord
Chatham.
M. S.

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sense. I confess, my Lords, that I am apt to distrust the refinements of learning, because I have seen the ablest and the most learned men equally liable to deceive themselves, and to mislead others. The condition of human nature would be lamentable indeed, if nothing less than the greatest learning and talents, which fall to the share of so small a number of men, were sufficient to direct our judgment and our conduct. But Providence has taken better care of our happiness, and given us, in the simplicity of common sense, a rule for our direction, by which we shall never be misled. I confess, my Lords, I had no other guide in drawing up the amendment, which I submitted to your consideration; and before I heard the opinion of the noble Lord who spoke last, I did not conceive that it was even within the limits of possibility for the greatest human genius, the most subtle understanding, or the acuteest wit, so strangely to misrepresent my meaning, and to give it an interpretation so entirely foreign from what I intended to express, and from that sense which the very terms of the amendment plainly and distinctly carry with them. If there be the smallest foundation for the censure

sure thrown upon me by that noble Lord, if, either expressly, or by the most distant implication, I have said or insinuated any part of what the noble Lord has charged me with, discard my opinions for ever, discard the motion with contempt.

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‘ My Lords, I must beg the indulgence of the House. Neither will my health permit me, nor do I pretend to be qualified to follow that learned Lord minutely through the whole of his argument. No man is better acquainted with his abilities and learning, nor has a greater respect for them, than I have. I have had the pleasure of sitting with him in the other House, and always listened to him with attention. I have not now lost a word of what he said, NOR DID I EVER. Upon the present question I meet him without fear. The evidence which truth carries with it, is superior to all argument; it neither wants the support, nor dreads the opposition of the greatest abilities. If there be a single word in the amendment to justify the interpretation which the noble Lord has been pleased to give it, I am ready to renounce the whole: let it be read, my Lords; let it speak for itself.

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itself. (*It was read*)—In what instance does it interfere with the privileges of the House of Commons? In what respect does it question their jurisdiction, or suppose an authority in this House to arraign the justice of their sentence? I am sure that every Lord who hears me, will bear me witness, that I said not one word touching the merits of the Middlesex election; so far from conveying any opinion upon that matter in the amendment, I did not even in discourse deliver my own sentiments upon it. I did not say that the House of Commons had done either right or wrong; but, when his Majesty was pleased to recommend it to us to cultivate unanimity amongst ourselves, I thought it the duty of this House, as the great hereditary council of the Crown, to state to his Majesty the distracted condition of his dominions, together with the events which had destroyed unanimity among his subjects. But, my Lords, I stated those events merely as facts, without the smallest addition either of censure or of opinion. They are facts, my Lords, which I am not only convinced are true, but which I know are indisputably true. For example, my Lords: will any man deny that discontents

tents prevail in many parts of his Majesty's dominions? or that those discontents arise from the proceedings of the House of Commons touching the declared incapacity of Mr. *Wilkes*? 'Tis impossible: no man can deny a truth so notorious. Or will any man deny that those proceedings refused, by a resolution of one branch of the legislature only, to the subject his common right? Is it not indisputably true, my Lords, that Mr. *Wilkes* had a common right, and that he lost it no other way but by a resolution of the House of Commons? My Lords, I have been tender of misrepresenting the House of Commons: I have consulted their journals, and have taken the very words of their own resolution. Do they not tell us in so many words, that Mr. *Wilkes* having been expelled, was thereby rendered incapable of serving in that Parliament! and is it not their resolution alone, which refuses to the subject his common right? The amendment says farther, that the electors of Middlesex are deprived of their free choice of a representative. Is this a false fact, my Lords? or have I given an unfair representation of it? Will any man presume to affirm that Colonel Luttrell is the free choice of the electors
of

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of Middlesex? We all know the contrary. We all know that Mr. Wilkes (whom I mention without either praise or censure) was the favourite of the county, and chosen by a very great and acknowledged majority, to represent them in Parliament. If the noble Lord dislikes the manner in which these facts are stated, I shall think myself happy in being advised by him how to alter it. I am very little anxious about terms, provided the substances be preserved; and these are facts, my Lords, which I am sure will always retain their weight and importance, in whatever form of language they are described.

‘ Now, my Lords, since I have been forced to enter into the explanation of an amendment, in which nothing less than the genius of penetration could have discovered an obscurity, and having, as I hope, redeemed myself in the opinion of the House, having redeemed my motion from the severe representation given of it by the noble Lord, I must a little longer intreat your Lordships’ indulgence. The constitution of this country has been openly invaded in fact; and I have heard, with horror and astonishment that very invasion defended upon principle.

What

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What is this mysterious power, undefined by law, unknown to the subject, which we must not approach without awe, nor speak of without reverence, which no man may question, and to which all men must submit? My Lords, I thought the slavish doctrine of passive obedience had long since been exploded: and, when our kings were obliged to confess that their title to the crown, and the rule of their government, had no other foundation than the known laws of the land, I never expected to hear a divine right, or a divine infallibility, attributed to any other branch of the legislature. My Lords, I beg to be understood, no man respects the House of Commons more than I do, or would contend more strenuously than I would, to preserve them their just and legal authority. Within the bounds prescribed by the Constitution, that authority is necessary to the well-being of the people: beyond that line every exertion of power is arbitrary, is illegal; it threatens tyranny to the people, and destruction to the state. Power without right is the most odious and detestable object that can be offered to the human imagination: it is not only pernicious to those who are subject to it, but tends to
its

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its own destruction. It is what my noble friend (Lord *Lyttleton*) has truly described it, *Res detestabilis et caduca*. My Lords, I acknowledge the just power, and reverence the constitution of the House of Commons. It is for their own sakes that I would prevent their assuming a power which the constitution has denied them, lest, by grasping at an authority they have no right to, they should forfeit that which they legally possess. My Lords, I affirm that they have betrayed their constituents, and violated the constitution. Under pretence of declaring the law, they have *made* a law, and united in the same persons the office of legislator and of judge.

‘ I shall endeavour to adhere strictly to the noble Lord’s doctrine, which is indeed impossible to mistake, so far as my memory will permit me to preserve his expressions. He seems fond of the word jurisdiction; and I confess, with the force and effect which he has given it, it is a word of copious meaning and wonderful extent. If his Lordship’s doctrine be well founded, we must renounce all those political maxims by which our understandings have

have hitherto been directed, and even the first elements of learning taught us in our schools when we were school-boys. My Lords, we knew that jurisdiction was nothing more than *Jus dicere*; we knew that *Legem facere* and *Legem dicere* were powers clearly distinguished from each other in the nature of things, and wisely separated by the wisdom of the English Constitution; but now, it seems, we must adopt a new system of thinking. The House of Commons, we are told, have a supreme jurisdiction; and there is no appeal from their sentence; and that wherever they are competent judges, their decision must be received and submitted to, as *ipso facto*, the law of the land. My lords, I am a plain man, and have been brought up in a religious reverence for the original simplicity of the laws of England. By what sophistry they have been perverted, by what artifices they have been involved in obscurity, is not for me to explain; the principles, however, of the English laws, are still sufficiently clear: they are founded in reason, and are the master-piece of the human understanding; but it is in the text that I would look for a direction to my judgment, not in the

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commentaries of modern professors. The noble Lord assures us, that he knows not in what code the law of Parliament is to be found; that the House of Commons, when they act as judges, have no law to direct them but their own wisdom; that their decision is law; and if they determine wrong, the subject has no appeal but to Heaven. What then, my Lords, are all the generous efforts of our ancestors, are all those glorious contentions, by which they meant to secure to themselves, and to transmit to their posterity a known law, a certain rule of living; reduced to this conclusion, that instead of the arbitrary power of a King, we must submit to the arbitrary power of an House of Commons? If this be true, what benefit do we derive from the exchange? Tyranny, my Lords, is detestable in every shape; but in none so formidable as when it is assumed and exercised by a number of tyrants. But, my Lords, this is not the fact, this is not the constitution; we *have* a law of Parliament, we *have* a code in which every honest man may find it. We have Magna Charta, we have the Statute Book, and the Bill of Rights.

* If

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“ If a case should arise unknown to these great authorities, we have still that plain English reason left, which is the foundation of all our English jurisprudence. That reason tells us, that every Judicial Court, and every Political Society, must be vested with those powers and privileges which are necessary for performing the office to which they are appointed. It tells us also, that no Court of Justice can have a power inconsistent with, or paramount to, the known laws of the land: that the people, when they choose their representatives, never mean to convey to them a power of invading the rights, or trampling upon the liberties of those whom they represent. What security would they have for their rights, if once they admitted, that a Court of Judicature might determine every question that came before it, not by any known, positive law, but by the vague, indeterminate, arbitrary rule, of what the noble Lord is pleased to call *the Wisdom of the Court*? With respect to the decision of the Courts of Justice, I am far from denying them their due weight and authority; yet, placing them in the most respectable view, I still consider them, not as law, but as an evidence of the

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law; and before they can arrive even at that degree of authority, it must appear, that they are founded in, and confirmed by, reason; that they are supported by precedents taken from good and moderate times; that they do not contradict any positive law; that they are submitted to without reluctance, by the people; that they are unquestioned by the legislature (which is equivalent to a tacit confirmation); and, what, in my judgment, is by far the most important, that they do not violate the spirit of the Constitution. My Lords, this is not a vague or loose expression: we all know what the Constitution is, we all know, that the first principle of it is, that the subject shall not be governed by the *arbitrium* of any one man, or body of men (less than the whole legislature), but by certain laws, to which he has virtually given his consent, which are open to him to examine, and not beyond his ability to understand.—Now, my Lords, I affirm, and am ready to maintain, that the late decision of the House of Commons upon the Middlesex election, is destitute of every one of those properties and conditions which I hold to be essential to the legality of such a decision. It is not founded

founded in reason; for it carries with it a contradiction, that the representative should perform the office of the constituent body. It is not supported by a single precedent; for the case of Sir *R. Walpole* is but a half precedent, and even that half is imperfect. Incapacity was indeed declared, but his crimes are stated as the ground of the resolution, and his opponent was declared to be not duly elected, even after his incapacity was established. It contradicts Magna Charta and the Bill of Rights, by which it is provided, that no subject shall be deprived of his freehold, unless by the judgment of his peers, or the law of the land; and that elections of members to serve in Parliament shall be free; and so far is this decision from being submitted to by the people, that they have taken the strongest measures, and adopted the most positive language to express their discontent. Whether it will be questioned by the legislature, will depend upon your Lordship's resolution; but that it violates the spirit of the Constitution, will, I think, be disputed by no man who has heard this day's debate, and who wishes well to the freedom of his country; yet, if we are to believe the noble Lord, this great

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grievance, this manifest violation of the first principles of the Constitution, will not admit of a remedy; is not even capable of redress, unless we appeal at once to Heaven. My Lords, I have better hopes of the Constitution, and a firmer confidence in the wisdom and constitutional authority of this House. It is *your* ancestors, my Lords,—it is to the English Barons that we are indebted for the Laws and Constitution we possess. Their virtues were rude and uncultivated, but they were great and sincere. Their understandings were as little polished as their manners, but they had hearts to distinguish right from wrong; they had heads to distinguish truth from falsehood; they understood the rights of humanity, and they had spirit to maintain them,

My Lords, I think, that history has not done justice to their conduct, when they obtained from their Sovereign, that great acknowledgment of national rights contained in Magna Charta: they did not confine it to themselves alone, but delivered it as a common blessing to the whole people. They did not say, These are the rights of the great Barons, or these are rights of the great Prelates;

Prelates:—No, my Lords; they said, in the simple Latin of the times, *nullus liber homo*, and provided as carefully for the meanest subject as for the greatest. These are uncouth words, and found but poorly in the ears of scholars; neither are they addressed to the criticism of scholars, but to the hearts of free men. These three words, *nullus liber homo*, have a meaning which interests us all; they deserve to be remembered—they deserve to be inculcated in our minds—they are worth all the classics. Let us not, then, degenerate from the glorious example of our ancestors. Those Iron Barons (for so I may call them when compared with the Silken Barons of modern days), were the Guardians of the People; yet *their* virtues, my Lords, were never engaged in a question of such importance as the present. A breach has been made in the Constitution—the battlements are dismantled—the citadel is open to the first invader—the walls totter—the Constitution is not tenable.—What remains then, but for *us* to stand foremost in the breach, to repair it, or perish in it?

“ Great pains have been taken to alarm
us with the consequences of a difference
I 4 between

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between the two Houses of Parliament—
That the House of Commons will resent
our presuming to take notice of their proceedings; that they will resent our daring to advise the Crown, and never forgive us for attempting to save the State.—My Lords, I am sensible of the importance and difficulty of this great crisis: at a moment, such as this, we are called upon to our duty, without dreading the resentment of any man. But if apprehensions of this kind are to affect us, let us consider which we ought to respect most—the representative, or the collective body of the people.—My Lords, five hundred gentlemen are not ten millions; and if we *must* have a contention, let us take care to have the English nation on our side. If this question be given up, the freeholders of England are reduced to a condition baser than the peasantry of Poland. If they desert their own cause, they deserve to be slaves!—My Lords, this is not merely the cold opinion of my understanding, but the glowing expression of what I feel. It is my heart that speaks: I know I speak warmly, my Lords; but this warmth shall neither betray my argument nor my temper. The kingdom is in a flame. As
mediators

mediators between the King and people, it is our duty to represent to him the true condition and temper of his subjects. It is a duty which no particular respects should hinder us from performing; and whenever his Majesty shall demand our advice, it will then be our duty to enquire more minutely into the causes of the present discontents. Whenever that enquiry shall come on, I pledge myself to the House to prove, that since the first institution of the House of Commons, not a single precedent can be produced to justify their late proceedings. My noble and learned friend (the Lord Chancellor) has pledged himself to the House, that he will support that assertion.

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‘ My Lords, the character and circumstances of Mr. *Wilkes* have been very improperly introduced into this question, not only here, but in that court of judicature where his cause was tried; I mean the House of Commons. With one party he was a patriot of the first magnitude; with the other the vilest incendiary. For my own part, I consider him merely and indifferently as an English subject, possessed of certain rights

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rights which the laws have given him, and which the laws alone can take from him. I am neither moved by his private vices, nor by his public merits. In *his* person, though he were the *worst* of men, I contend for the safety and security of the best; and, God forbid, my Lords, that there should be a power in this country of measuring the civil rights of the subject by his moral character, or by any other rule but the fixed laws of the land! I believe, my Lords, I shall not be suspected of any personal partiality to this unhappy man: I am not very conversant in pamphlets or newspapers; but, from what I have heard, and from the little I have read, I may venture to affirm, that I have had my share in the compliments which have come from that quarter; and as for motives of ambition (for I must take to myself a part of the noble Duke's insinuation), I believe, my Lords, there have been times in which I have had the honour of standing in such favour in the closet, that there must have been something extravagantly unreasonable in my wishes if they might not *all* have been gratified; after neglecting those opportunities, I am now suspected of coming forward in the decline of life, in the
anxious

anxious pursuit of wealth and power, which it is impossible for me to enjoy. Be it so; there is one ambition at least which I ever will acknowledge, which I will not renounce but with my life. It is the ambition of delivering to my posterity those rights of freedom which I have received from my ancestors. I am not now pleading the cause of an individual, but of every freeholder in England. In what manner this House may constitutionally interpose in their defence, and what kind of redress this case will require and admit of, is not at present the subject of our consideration. The amendment, if agreed to, will naturally lead us to such an enquiry. That enquiry may, perhaps, point out the necessity of an act of the legislature, or it may lead us, perhaps, to desire a conference with the other House; which one noble Lord affirms is the only parliamentary way of proceeding; and which another noble Lord assures us the House of Commons would either not come to, or would break off with indignation. Leaving their Lordships to reconcile that matter between themselves, I shall only say, that before we have enquired, we cannot be provided with materials, consequently

quently we are not at present prepared for a conference.

‘ It is impossible, my Lords, that the enquiry I speak of may lead us to advise his Majesty to dissolve the present parliament; nor have I any doubt of our right to give that advice, if we should think it necessary. His Majesty will then determine whether he will yield to the united petitions of the people of England, or maintain the House of Commons in the exercise of a legislative power, which heretofore abolished the House of Lords, and overturned the monarchy. I willingly acquit the present House of Commons of having actually formed so detestable a design; but they cannot themselves foresee to what excesses they may be carried hereafter; and for my own part, I should be sorry to trust to their future moderation. Unlimited power is apt to corrupt the minds of those who possess it; and this I know my Lords, that, where law ends, tyranny begins!’

The amendment was negatived. But in consequence of this strong and public arraignment of the Ministry, several of them
resigned,

resigned. Lord *Chatham's* information of the proceedings of the Cabinet Council was supposed to have been derived from Lord *Camden*, who, at that time, was Lord Chancellor; and he having this day divided with Lord *Chatham*, the Great Seal was immediately taken from him.

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Mr. *Yorke* was prevailed upon by his Majesty to accept the Seal; and in a few hours afterwards he put a period to his own existence.

Notwithstanding the several resignations, some of them of the first families of the kingdom, which took place at this time,—notwithstanding the general dissatisfaction and ferment which prevailed throughout the nation—notwithstanding the circumstances of the recent and tragical death of Mr. *Yorke*—still the Court persevered, and resolved to persevere in their measures*.

* The success of the Court in this perseverance against the petitions of the people of England, encouraged the Court in the same perseverance against the petitions of the people of America; which followed soon after. But the Americans being farther removed from the scene of corruption, were not debilitated by its poison. They retained the vigour and virtue of their ancestors.

CHAP.

C H A P. XXXVI.

Speeches of the Marquis of Rockingham, the Duke of Grafton, and Lord Chatham, on the State of the Nation—Union of Lord Chatham with Lord Rockingham—Duke of Grafton resigns.

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ON the twenty-second of January, the Marquis of *Rockingham* moved for fixing a day to take into consideration the state of the nation.

Ld. Rock-
ingham's
Speech.
M. S.

‘ The object of his Lordship’s speech* was to shew, that the present unhappy condition of affairs, and the universal discontent of the people, did not arise from any immediate temporary cause, but had grown upon us by degrees, from the moment of his Majesty’s accession to the throne. That the persons in whom his Majesty then confided, had introduced a total change in the

• This speech, the answer of the Duke of *Grafton*, and Lord *Chatham*’s reply, are printed from the notes of the same Gentleman who communicated the three preceding speeches, made on the first day of the session. They have none of them been printed before. It was necessary to insert Lord *Rockingham*’s and the Duke of *Grafton*’s speeches, because they are introductory to Lord *Chatham*’s.

old

old system of English Government—that they had adopted a maxim which must prove fatal to the liberties of this country, viz. “ That the Royal Prerogative alone, was sufficient to support Government, to whatever hands the administration should be committed;” and he could trace the operation of this principle through every act of Government since the accession; in which those persons could be supposed to have any influence. Their first exertion of the prerogative was to make a peace contrary to the wishes of the nation, and on terms totally disproportioned to the successes of the war; but as they felt themselves unequal to the conduct of a war, they thought a peace, on any conditions, necessary for their own security and permanence in Administration. He then took notice of those odious tyrannical acts of power, by which an approbation of the peace had been obtained. And he mentioned the general sweep through every branch and department of Administration; the removes not merely confined to the higher employments, but carried down, with the minutest cruelty to the lowest offices of the state; and numberless innocent families, which had subsisted

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sisted on salaries from fifty to two hundred pounds a year, turned out to misery and ruin, with as little regard to the rules of justice, as to the common feelings of compassion. That their ideas of taxation were marked by the same principle. The argument urged for taxing the cyder counties, viz. "The equity of placing them on the same footing with others, where malt liquors were chiefly used," was too obvious to escape the attention of *former* ministers; but *former* ministers paid more regard to the liberties of the people, than to the improvement of the revenue. That the object of the cyder act, or the effect of it, at least, was not so much to increase the revenue, as to extend the laws of excise, and open the doors of private men to the officers of the Crown.

Without entering into the right of taxing America, it was evident, that since the revenue expected to arise from that measure was allowed to be very inconsiderable, the real purpose of government must have been to increase the number of their officers in that country, and consequently the strength of the prerogative.

He

* He then took notice of the indecent manner with which the debt upon the King's Civil List had been laid before, and provided for, by Parliament. No account offered—No enquiry permitted to be made—Not even the decent satisfaction given to Parliament of an assurance that *in future* such extraordinary expences should be avoided. On the contrary, the King's speech on that occasion had been so cautiously worded, that, far from engaging to avoid such exceedings for the future, it intimated plainly that the expences of the King's civil government could not be confined within the revenue granted by Parliament—That as the nation was heavily burthened by the expence, they were no less grossly insulted by the manner in which that burthen was laid upon them. That, in certain grants lately made by the crown, the ministry had adhered to their principle of carrying the prerogative to its utmost extent. No right of property—no continuance of possession had been considered. But, if these had been weaker than they were, he thought some respect was due to the memory of the great Prince by whom these grants had been made; and, in com-

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mon justice to the noble Duke*, whose property had been invaded, the ministry should, at least, have avoided that hurry and precipitation, which had hardly left his Grace time to defend his rights; and by which the ministry themselves seemed to confess their measures would not bear a more deliberate mode of proceeding. But the purposes of an election were to be served; and the person, benefited by this measure, was supposed to be a better friend to administration than the noble Duke, whose property had been arbitrarily transferred to another. And when, upon occasion of this extraordinary measure, and to quiet the minds of the people, a bill had been brought into parliament for securing the property of the subject, it had been rejected the first year, and violently resisted the second; but the justice and necessity of it had prevailed over the influence, and favourite maxims of the administration. That the affairs of the external part of the empire had been managed with the same want of wisdom, and had been brought into nearly the same condition with those at home. In Ireland, he

* Duke of Portland.

saw the parliament prorogued, (which probably led to a dissolution) and the affairs of that kingdom left unprovided for, and in the greatest confusion. That in America, measures of violence had been adopted, and it had been the uniform language and doctrine of the ministry to force that country to submit. That, in his own opinion, violence would not do *there*, and he hoped it would not do *here*. But even if a plan of force were adviseable, why had it not been adhered to? Why did they not adopt and abide by some *one* system of conduct? That the King's speeches, and the language of the ministry at home had denounced nothing but war and vengeance against a rebellious people, whilst his Majesty's governors abroad, were instructed to convey to them the gentlest promises of relief and satisfaction. His Lordship here referred to Lord *Bottetort's* speech to the assembly of Virginia, in May 1769, out of which he recited a passage in point. The passage was this—" *I think myself peculiarly fortunate to be able to inform you, that by a letter, dated May the 13th, I have been assured by the Earl of Hillsborough, that his Majesty's present administration have at no time entertained a*

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design to propose to parliament to lay any further taxes upon America for the purpose of raising a revenue, and that it is their intention to propose, in the next session of parliament, to take off the duties upon glass, paper, and colours, upon consideration of such duties having been laid contrary to the true principles of commerce. See Appendix W.

‘ With respect to foreign affairs, he thought it highly necessary to enquire, why France had been permitted to make so considerable an acquisition as the island of Corsica? That no man could deny, that this island would prove a great addition to the strength of France, with respect to her marine; both from its harbours, and the timber it produced. He thought this attempt of France was not only unjust in itself, but directly contrary to certain stipulations in the treaty of Aix-la-Chapelle, confirmed by that of 1763, by which it was determined and settled, “ That the republic of Genoa should be entirely re-established and maintained in *all* its former states and possessions; and that, for the advantage and maintenance of the peace in general, for the tranquillity of Italy in particular, all things should

should remain there in the condition they were in before the war."

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His Lordship added, 'That he had not dwelt so strongly as he might have done, upon that great invasion of the constitution, which had now thrown this whole country into a flame: the people were sufficiently alarmed for their rights, and he did not doubt but that matters would be duly enquired into. But he considered it only as the point to which all the other measures of the administration had tended. That when the constitution was violated, we should not content ourselves with repairing the single breach, but look back into the causes, and trace the principles which had produced it, in order, not merely to restore the constitution to present health, but, if possible, make it invulnerable hereafter.

' Upon the whole, he recommended it strongly to their Lordships, to fix an early day for taking into their consideration the state of this country in all its relations and dependencies, foreign, provincial, and domestic; for we had been injured in them all. That consideration would, he hoped, lead

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their Lordships to advise the crown not only how to correct past errors, but how to establish a system of government more wise, more permanent, better suited to the genius of the people, and, at least, consistent with the spirit of the constitution.'

Duke of
Grafton's
Answer.
M. S.

The Duke of *Grafton*, who spoke next, did not oppose the motion; on the contrary, 'he engaged to second it, and to meet the noble Lord upon the great question whenever the House should think proper. For the present, he meant only to exculpate himself, from some severe reflections, which he thought were directed particularly and personally against himself. That he was ready to justify the measures alluded to by the noble Lord, about every other part of his conduct; and he did not doubt of being able to do so to the satisfaction of the House. That the resumption made by the Commissioners of the Treasury, of a supposed grant of the crown land, had been most unfairly represented. He wished the noble Lord, instead of the word *property*, had only used *possession*; and then he would have truly described the fact, and the object. That upon the application made to the

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the board, by the person who had discovered the defect in the noble Duke's title, he could not consistently with his duty, as an officer of the crown, have rejected the claim made by that person. That if the noble Duke, instead of being an opponent, had been the warmest friend of an administration, the Treasury Board could not have acted otherwise than they did, without a flagrant violation of justice; and as for that hurry and precipitation of which they were accused, he took upon him to contradict the noble Lord in the most positive manner, and offered to prove at the bar of that House, that they had proceeded, not only with temper and deliberation, but with the utmost attention to the interests of the noble Duke, and every possible mark of respect to his person; and had protracted their decision to the very last moment, allowed by the rules of the Board. With respect to the debt upon the Civil List, he neither had, nor could have, any personal motives for wishing to conceal from Parliament the particulars of the extraordinary expences, by which that debt had been incurred. That the persons to whose offices it belonged, had been constantly employed in drawing up

a state of that account, and that they had received every possible light and information from the officers of the Crown, in order to shorten and facilitate the business: but it was a work of infinite labour and extent; and, notwithstanding the utmost diligence in the several public offices, could not yet be completed.

‘ That in regard to foreign affairs, he believed the conduct of the King’s Ministers would bear the strictest examination, and would be found irreproachable. That, for his own part, he had never thought, nor had he ever affirmed, that the conditions of the late peace were such as the people had a right to expect. He had maintained that opinion in former times, and no change of situation should ever induce him to relinquish it. But that the peace being once made, and those advantages, which we might have expected from a continuance of the war being now irrecoverable, he would never advise the King to engage in another war, as long as the dignity of the Crown and the real interests of the nation could be preserved without it. That what we had suffered already by foreign corrections, ought to warn us against engaging lightly in

in quarrels, in which we had no immediate concern, and to which we might probably sacrifice our own most essential interests.'

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Earl of *Chatham*. ' My Lords, I meant to have risen immediately to second the motion made by the noble Lord. The charge which the noble Duke seemed to think affected himself particularly, did undoubtedly demand an early answer; it was proper he should speak before me, and I am as ready as any man to applaud the decency and propriety with which he has expressed himself,

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M. S.

' I entirely agree with the noble Lord, both in the necessity of your Lordships concurring with the motion, and in the principles and arguments by which he has very judiciously supported it. I see clearly, that the complexion of our Government has been materially altered; and I can trace the origin of the alteration up to a period, which ought to have been an æra of happiness and prosperity to this country.

' My Lords, I shall give you my reasons for concurring with the motion, not methodically,

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thodically, but as they occur to my mind. I may wander, perhaps, from the exact parliamentary debate; but I hope I shall say nothing but what may deserve your attention, and what, if not strictly proper at present, would be fit to be said, when the state of the nation shall come to be considered. My uncertain state of health must plead my excuse. I am now in some pain, and very probably may not be able to attend my duty when I desire it most, in this House. I thank God, my Lords, for having thus long preserved, so inconsiderable a being as I am, to take a part upon this great occasion, and to contribute my endeavours, such as they are, to restore, to save, to confirm the Constitution.

‘ My Lords, I need not look abroad for grievances. The grand capital mischief is fixed at home. It corrupts the very foundation of our political existence, and preys upon the vitals of the State.—The Constitution has been grossly violated—THE CONSTITUTION AT THIS MOMENT STANDS VIOLATED. Until that wound be healed, until the grievance be redressed, it is in vain to recommend union to Parliament; in vain

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to promote concord among the people. If we mean seriously to unite the nation within itself, we must convince them that their complaints are regarded, that their inquiries shall be redressed. On *that* foundation I would take the lead in recommending peace and harmony to the people. On any other, I would never wish to see them united again. If the breach in the Constitution be effectually repaired, the people will of themselves return to a state of tranquillity—If not—
MAY DISCORD PREVAIL FOR EVER. I know to what point this doctrine and this language will appear directed. But I feel the principles of an Englishman, and I utter them without apprehension or reserve. The crisis is indeed alarming:—so much the more does it require a prudent relaxation on the part of Government. If the King's servants will not permit a constitutional question to be decided on, according to the forms, and and on the principles of the Constitution, it must then be decided in some other manner; and rather than it should be given up, rather than the nation should surrender their birth-right to a despotic Minister, I hope, my Lords, old as I am, *I shall see the question brought to issue, and fairly tried between*

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between the people and the government. My

Lord, this is not the language of faction; let it be tried by that criterion, by which alone we can distinguish what is factious, from what is not—by the principles of the English Constitution. I have been bred up in these principles; and know, that when the liberty of the subject is invaded, and all redress denied him, resistance is justified. If I had a doubt upon the matter, I should follow the example set us by the most reverend bench, with whom I believe it is a maxim, when any doubt in point of faith arises, or any question of controversy is started, to appeal at once to the greatest source and evidence of our religion—I mean the Holy Bible; the Constitution has its Political Bible, by which, if it be fairly consulted, every political question may, and ought to be determined. *Magna Charta*, the Petition of Rights and the Bill of Rights, form that code which, I call *the Bible of the English Constitution*. Had some of his Majesty's unhappy predecessors trusted less to the comments of their Ministers, had they been better read in the text itself, the glorious Revolution would have remained only possible in theory, and would not now have

have existed upon record a formidable example to their successors.

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‘ My Lords, I cannot agree with the noble Duke, that nothing less than an immediate attack upon the honour or interest of this nation, can authorise us to interpose in defence of weaker states, and in stopping the enterprizes of an ambitious neighbour. Whenever that narrow, selfish policy, has prevailed in our councils, we have constantly experienced the fatal effects of it. By suffering our natural enemies to oppress the powers, less able than we are to make a resistance, we have permitted them to encrease their strength, we have lost the most favourable opportunities of opposing them with success; and found ourselves at last obliged to run every hazard, in making that cause our own, in which we were not wise enough to take part, while the expence and danger might have been supported by others.—With respect to Corsica I shall only say, that France has obtained a more useful and important acquisition in one *Pacific* Campaign, than in any of her *Belligerent* Campaigns; at least while I had the honour of administering the war against her. The word

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word may, perhaps, be thought singular: I mean only while I was the Minister, chiefly entrusted with the conduct of the war. I remember, my Lords, the time when Lorrain was united to the Crown of France, that too was, in some measure, a pacific conquest; and there were people who talked of it, as the noble Duke now speaks of Corsica. France was permitted to take and keep possession of a noble province; and, according to his Grace's ideas, we did right in not opposing it. The effect of these acquisitions, is, I confess, not immediate; but they unite with the main body by degrees, and, in time, make a part of the national strength. I fear, my Lords, it is too much the temper of this country to be insensible of the approach of danger, until it comes with accumulated terror upon us.

‘ My Lords, the condition of his Majesty's affairs in Ireland, and the state of that kingdom within itself, will undoubtedly make a very material part of your Lordship's enquiry. I am not sufficiently informed to enter into the subject so fully as I could wish; but by what appears to the public, and from my own observation, I

confess

confess I cannot give the ministry much credit for the spirit or prudence of their conduct. I see, that even where their measures are well chosen, they are incapable of carrying them through without some unhappy mixture of weakness or imprudence.—

They are incapable of doing entirely right. My Lords, I do, from my conscience, and from the best weighed principles of my understanding, applaud the augmentation of the army. As a military plan, I believe it has been judiciously arranged. In a political view, I am convinced it was for the welfare, for the safety of the whole empire. But, my Lords, with all these advantages, with all these recommendations, if I had the honour of advising his Majesty, I would never have consented to his accepting the augmentation, with that absurd dishonourable condition, which the ministry have submitted to annex to it. My Lords, I reverence the just prerogative of the crown, and would contend for it as warmly as for the rights of the people. They are linked together, and naturally support each other. I would not touch a feather of the prerogative. The expression, perhaps, is too light; but since I have made use of it, let me add, that

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that the intire command and power of directing the local disposition of the army is the royal prerogative, as the master-feather in the eagle's wing; and if I were permitted to carry the allusion a little farther, I would say, they have disarmed the imperial bird, the "*Ministrum Fulminis Alitem*." The army is the thunder of the crown.—The ministry have tied up the hand which should direct the bolt.

‘ My Lords, I remember that Minorca was lost for want of four battalions. They could not be spared from hence; and there was a delicacy about taking them from Ireland. I was one of those, who promoted an enquiry into that matter in the other house; and I was convinced we had not regular troops sufficient for the necessary service of the nation. Since the moment the plan of augmentation was first talked of, I have constantly and warmly supported it among my friends: I have recommended it to several members of the Irish House of Commons, and exhorted them to support it with their utmost interest in parliament. I did not foresee, nor could I conceive it possible, the ministry would accept of it, with a condition
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that makes the plan itself ineffectual, and, as far as it operates, defeats every useful purpose of maintaining a standing military force. His Majesty is now so confined, by his promise, that he must leave twelve thousand men locked up in Ireland, let the situation of his affairs abroad, or the approach of danger to this country, be ever so alarming, unless there be an actual rebellion, or invasion, in Great Britain. Even in the two cases excepted by the king's promise, the mischief must have already begun to operate, must have already taken effect, before his Majesty can be authorised to send for the assistance of his Irish army. He has not left himself the power of taking any preventative measures, let his intelligence be ever so certain, let his apprehensions of invasion or rebellion be ever so well-founded: unless the traitor be actually in arms; unless the enemy be in the heart of your country, he cannot move a single man from Ireland*.

* The following is an extract of the Lord Lieutenant's message to the House of Commons of Ireland upon this occasion:

"TOWNSHEND. *Gentlemen*, "I am commanded, by his Majesty, to acquaint you, that his Majesty, upon the most mature consideration of the state and circumstances of this kingdom judges it absolutely necessary, that a number of troops, not less

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‘ I feel myself compelled, my Lords, to return to that subject which occupies and interests me most; I mean the internal disorder of the constitution, and the remedy it demands. But first, I would observe, there is one point upon which I think the noble Duke has not explained himself. I do not mean to catch at words, but, if possible, to possess the sense of what I hear. I would treat every man with candour, and should expect the same candour in return. For the noble Duke, in particular, I have every per-

“ than twelve thousand men, commissioned and non-commissioned
“ officers included, should be kept therein, for the better defence of
“ the same; and that his Majesty, finding that, consistent with the
“ general public service, the number before-mentioned cannot be
“ constantly continued in Ireland, unless his army upon the Irish
“ establishment be augmented to 15,235 men in the whole, com-
“ missioned and non-commissioned officers included: His Majesty
“ earnestly recommends it to his faithful Commons to concur in a
“ measure, which his Majesty has extremely at heart, as ne cessary
“ not only for the honour and dignity of his crown, but the peace
“ and security of this kingdom. And I have his Majesty’s special
“ command to assure you expressly, in his Majesty’s name, that it
“ is his determined resolution, that upon such augmentation, a num-
“ ber of effective troops, not less than 12,000 men, commissioned
“ and non-commissioned officers included, shall, at all times, except
“ in cases of invasion or rebellion in Great Britain, be kept within
“ this kingdom, for the better defence thereof.” Lord CHAT-
HAM’S reasoning on the present message, is certainly right, for if
English ministry were to determine upon the necessity of sending
for troops from Ireland, according to their own apprehensions or
intelligence, the condition, with respect to Ireland, would be
negatory.

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sonal respect and regard. I never desire to understand him, but as he wishes to be understood. His Grace, I think, has laid much stress upon the diligence of the several public offices, and the assistance given them by the Administration, in preparing a state of the expences of his Majesty's civil government, for the information of Parliament, and for the satisfaction of the public. He has given us a number of plausible reasons for their not having yet been able to finish the account; but, as far as I am able to recollect, he has not yet given us the smallest reason to hope, that it ever will be finished; or that it ever will be laid before Parliament.

‘ My Lords, I am not unpractised in business, and if, with all that apparent diligence, and all that assistance, which the noble Duke speaks of, the accounts in question have not yet been made up, I am convinced there must be a defect in some of the public offices, which ought to be strictly enquired into, and severely punished. But, my Lords, the waste of the public money is not of itself so important as the pernicious purpose to which we have reason to suspect that money has been applied. For some years past, there has

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been an influx of wealth into this country, which has been attended with many fatal consequences, because it has not been the regular, natural produce of labour and industry. The riches of Asia have been poured in upon us, and have brought with them not only Asiatic luxury, but, I fear, Asiatic principles of government. Without connections, without any natural interest in the soil, the importers of foreign gold have forced their way into Parliament, by such a torrent of private corruption, as no private hereditary fortune could resist. My Lords, not saying but what is within the knowledge of us all, the corruption of the people is the great original cause of the discontents of the people themselves, of the enterprize of the Crown, and the notorious decay of the internal vigour of the Constitution. For this great evil some immediate remedy must be provided; and I confess, my Lords, I did hope, that his Majesty's servants would not have suffered so many years of peace to relapse, without paying some attention to an object, which ought to engage and interest us all. I flattered myself I should see some barriers thrown up in defence of the Constitution, some impediment formed to stop the rapid progress

progreſs of corruption. I doubt not we all agree that ſomething muſt be done. I ſhall offer my thoughts, ſuch as they are, to the conſideration of the Houſe; and I wiſh that every noble Lord who hears me, would be as ready as I am to contribute his opinion to this important ſervice. I will not call my own ſentiments crude and indigeſted; it would be unfit for me to offer any thing to your Lordſhips, which I had not well conſidered; and this ſubject, I own, has not long occupied my thoughts. I will now give them to your Lordſhips without reſerve.

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‘ Whoever underſtands the theory of the Engliſh Conſtitution, and will compare it with the fact, muſt ſee at once how widely they differ. We muſt reconcile them to each other, if we wiſh to ſave the liberties of this country; we muſt reduce our political practice, as nearly as poſſible, to our principles. The Conſtitution intended that there ſhould be a permanent relation between the conſtituent and repreſentative body of the people. Will any man affirm, that, as the Houſe of Commons is now formed, that relation is in any degree preſerved? My Lords, it is not preſerved, it is deſtroyed. Let us be cautious

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however, how we have recourse to violent expedients.

‘ The boroughs of this country have properly enough been called the rotten parts of the Constitution. I have lived in Cornwall, and without entering into any invidious particularity, have seen enough to justify the appellation. But in my judgement, my Lords, these boroughs, corrupt as they are, must be considered as the natural infirmity of the Constitution. Like the infirmities of the body, we must bear them with patience, and submit to carry them about with us. The limb is mortified, but the amputation might be death.

‘ Let us try, my Lords, whether some gentler remedies may not be discovered. Since we cannot cure the disorder, let us endeavour to infuse such a portion of new health into the Constitution, as may enable it to support its most inveterate diseases.

‘ The representation of the counties is, I think, still preserved pure and uncorrupted. That of the greatest cities is upon a footing equally respectable; and there are many of the

the larger trading towns, which still preserve their independence. The infusion of health which I now allude to, would be to permit every county to elect one member more, in addition to their present representation. The knights of the shires approach nearest to the Constitutional representation of the country, because they represent the soil. It is not in the little dependent boroughs, it is the great cities and counties that the strength and vigour of the Constitution resides, and by them alone, if an unhappy question should ever rise, will the Constitution be honestly and firmly defended. It would increase that strength, because I think it is the only security we have against the profligacy of the times, the corruption of the people, and the ambition of the crown.

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‘I think I have weighed every possible objection that can be raised against a plan of this nature; and I confess I see but one, which, to me, carries any appearances of solidity. It may be said, perhaps, that when the act passed for uniting the two kingdoms, the number of persons who were to represent the whole nation in Parliament was proportioned and fixed on for ever—That this

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limitation is a fundamental article, and cannot be altered without hazarding a dissolution of the Union.

‘ My Lords, no man who hears me can have a greater reverence for that wise and important act, than I have. I revere the memory of that great Prince who first formed the plan, and of those illustrious patriots who carried it into execution. As a contract, every article of it should be inviolable; as the common basis of the strength and happiness of two nations, every article of it should be sacred. I hope I cannot be suspected of conceiving a thought so detestable, as to propose an advantage to one of the contracting parties at the expence of the other. No, my Lords, I mean that the benefit should be universal, and the consent to receive it unanimous. Nothing less than a most urgent and important occasion should persuade me to vary even from the letter of the act; but there is no occasion, however urgent, however important, that should ever induce me to depart from the spirit of it. Let that spirit be religiously preserved. Let us follow the principle upon which the representation of the two countries was proportioned

portioned at the Union; and when we increase the number of representatives for the English counties, let the shires of Scotland be allowed an equal privilege. On these terms, and while the proportion limited by the Union is preserved by the two nations, I apprehend that no man who is a friend to either, will object to an alteration, so necessary for the security of both. I do not speak of the authority of the Legislature to carry such a measure into effect, because I imagine no man will dispute it. But I would not wish the Legislature to interpose by an exertion of its power alone, without the chearful concurrence of all parties. My object is the happiness and security of the two nations, and I would not wish to obtain it without their mutual consent.

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‘ My Lords, besides my warm approbation of the motion made by the noble Lord, I have a natural and personal pleasure in rising up to second it. I consider my seconding his Lordship’s motion, and I would wish it to be considered by others, as a public demonstration of that cordial union, which I am happy to affirm, subsists between us—of my attachment to those principles

Union of
Ld. Chat-
ham with
Ld. Rock-
ingham.

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principles which he has so well defended, and of my respect for his person. There has been a time, my Lords, when those who wished well to neither of us, who wished to see us separated for ever, found a sufficient gratification for their malignity against us both. But that time is happily at an end. The friends of this country will, I doubt not, hear with pleasure, that the noble Lord and his friends are now united with me and mine, upon a principle which, I trust, will make our union indissoluble. It is not to possess, or divide, the emoluments of government; but, if possible, to save the state. Upon this ground we met—upon this ground we stand, firm and inseparable. No ministerial artifices, no private offers, no secret seduction, can divide us. United as we are, we can set the profoundest policy of the present ministry, their grand, their only arcanum of government, their *divide et impera*, at defiance.

‘ I hope an early day will be agreed to for considering the state of the nation. My infirmities must fall heavily upon me indeed, if I do not attend my duty that day. When I consider my age, and unhappy state
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of health, I feel how little I am personally interested in the event of any political question : But I look forward to others, and am determined, as far as my poor ability extends, to convey to those who come after me, the blessings which I cannot long hope to enjoy myself.

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The House agreed to fixing the twenty-fourth day of January, for taking into consideration the state of the nation. But at that time there being no Lord Chancellor, the motion was adjourned to the second of February.—On the twenty-ninth of January, four days previous to the next debate, the Duke of *Grafton* resigned. The want of a Lord Chancellor determined his Grace to quit his situation. Even this resignation, added to the many others which had preceded it, had no effect upon the Court. The resolution of the private, or confidential cabinet, was still to *persevere*—to rely upon the power of the Crown—and if that was not sufficient, to depend upon the army. The Duke of *Grafton's* place was given to Lord *North* : he was now First Lord of the Treasury, Chancellor of the Exchequer, and Minister of the House of Commons. The
Great

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Great Seal was put into commission, having been refused by Lord *Mansfield* and Sir *John Eardly Wilmot*. The latter refused on account of his age. The former, because his post of Chief Justice of the Court of King's Bench afforded a more permanent emolument.

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Lord Chatham's Speech on the decision of the House of Commons on the Middlesex Election—His Speech on Secret Influence—On the Civil List, and dismissal of Lord Camden—Fact concerning Queen Anne's Civil List—Mr. Grenville's Election Bill.

ON the second day of February, 1770, the House of Lords being in committee on the state of the nation, Lord *Rockingham* moved, That the House of Commons, in the exercise of its judicature in matters of election, is bound to judge according to the law of the land, and the known and established law and custom of parliament, which is part thereof.

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The Earl of *Sandwich* opposed the motion; and Lord *Chatham* replied to Lord *Sandwich*.

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Lord *Chatham* began with observing, that the noble Lord had been very adroit in referring to the Journals, and in collecting every circumstance that might assist his argument. Though my long and almost continued infirmities, said he, have denied me the hour of ease to obtain these benefits, yet, without the assistance of the journals, or other collaterals, I can reply to both the precedents which his Lordship has produced.

Speech on
the Mid-
dlesex
Election.

‘ I will readily allow the facts to be as the noble Earl has stated them, viz. That *Lionel*, Earl of *Middlesex*, as well as Lord *Bacon*, were both, for certain crimes and misdemeanors, expelled this house, and incapacitated from ever sitting here; without occasioning any interference from the other branches of the Legislature.

‘ Neither of these cases bear any analogy to the present case. They affected only themselves. The rights of no constituent body

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body were affected by them. It is not the *person* of Mr. *Wilkes* that is complained of; as an individual, he is personally out of the dispute. The cause of complaint the great cause, is, that the inherent rights and franchises of the people are, in this case, invaded, trampled upon, and annihilated. Lord *Bacon* and Lord *Middlesex* represented no county, or city. The rights of no freeholder, the franchises of no elector, were destroyed by their expulsion. The cases are as widely different as north from south. But I will allow the noble Earl a succedaneum to his argument, which, probably, he has not as yet thought of. I will suppose he urges, "That whatever authority gives a seat to a Peer, it is, at least equally as respectable as to a Commoner, and that, both in expulsion and incapacitation, the injury is directly the same:"—Granted; and I will further allow, that if Mr. *Wilkes* had not been *re-elected* by the people, the first expulsion, I believe, would be efficient. Therefore, my Lords, this comparison ceases; for, except these noble Lords mentioned, had received a fresh title, either by birth or patent, they could not possibly have any claim after the first expulsion. The noble

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Lord asks, "How came this doctrine to be broached?" And adds, "Who should be more tenacious of their liberties and privileges than the members themselves?"

In respect to the latter part of this question, I agree none should be so proper as themselves to protect their own rights and privileges; and I sincerely lament that they have, by their recent conduct, so far forgot what those privileges are, that they have added to the long list of venality from *Esau* to the present day. In regard to the first part, "How came this doctrine to be broached?" I must tell the noble Lord it is as old as the Constitution itself; the liberties of the people, in the original distribution of government, being the first thing provided for; and in the case of Mr. *Wilkes*, though we have not instances as numerous as in other cases, yet it is, by no means, the less constitutional; like a comet in the firmament, which, however it may dazzle and surprise the vulgar and untutored, by unfrequency of its appearance, the philosopher, versed in astronomic science, it affects no more than any other common process of nature, being perfectly simple, and to him perfectly intelligible. Need I remind you
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my Lords, at this period, of that common school-boy position, "that the constitution of this country depends upon King, Lords, and Commons, that each by its power is a balance to the other." If this is not the case, why were the three estates constituted? Why should it be necessary before an act of parliament takes place, that their mutual concurrence should be had. My Lords, I am ashamed to trudge in this common track of argument; and have no apology to make, but that I have been drawn into it by the noble Lord's asserting, "We had no right to interfere with the privileges of the other House."

' The noble Earl has been very exact in his calculation of the proportion of persons who have petitioned; and did the affair rest, merely, on *this* calculation, his argument would be unanswerable; but will he consider what numbers, whose private sentiments felt all the rigour of parliamentary proceedings, but for want of a few principals to call them together, and collect their opinions, have never reached the ear of their sovereign. If we add to this number, the interest made use of on the side of govern-

government, to suppress all petitions, with the authority that placemen have necessarily over their dependants, it is very surprising, that out of forty counties, thirteen had spirit and independence sufficient to stem such a tide of venality. But I will suppose that this was not the case, that no undue influence was made use of, and that hence but one third of the people think themselves aggrieved. Are numbers to constitute right? Are not the laws of the land fixed and unalterable? And is not this proceeding complained of, or any other, (supported even but by one), to be tried and adjudged by these laws? Therefore, however the noble Lord may excel in the doctrine of calculation as a speculative matter, it can by no means serve him, urged in the course of argument.

‘ Let us not then, my Lords, be deaf to the alarms of the people, when these alarms are founded on the infringement of their rights.—Let us not sit neuter and inattentive to the proceedings of the other House. We are, equally with that House, entrusted with the people’s rights, and we cannot conscientiously discharge our duties without

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our interference, whenever we find those rights, in any part of the constitution, trampled on.

‘ I have, my Lords, trespassed on your patience at this late hour of the night, when the length of this debate must have fatigued your Lordships considerably. But I cannot apologize in a case so deeply interesting to the nation—no time can be too long—no time can be lost—no hardships can be complained of.

‘ He condemned the conduct of the House of Commons in terms of asperity. He denominated the vote of that House, which had made Colonel *Luttrel* representative for Middlesex, a gross invasion of the Rights of Election—a dangerous violation of the English Constitution—a treacherous surrender of the invaluable privilege of a freehold, and a corrupt sacrifice of their own honour. They had stript the statute book of its brightest ornaments, to gild the wings, not of prerogative, but of unprincipled faction and lawless domination. To gratify the resentments of some individuals, the laws had been despised, trampled upon, and

and destroyed—those laws, which had been made by the stern virtue of their ancestors, the iron barons of old, to whom we were indebted for all the blessings of our present Constitution; to whose virtue and whose blood, to whose spirit in the hour of contest, and to whose tenderness in the triumph of victory, the silken barons of this day, owe their honours and their seats, and both Houses of Parliament owe their continuance. These measures, he said, made a part of that unhappy system, which had been formed in the present reign, with a view to *new-model* the Constitution, as well as the Government. These measures originated, he would not say, with his Majesty's knowledge, but in his Majesty's Councils. The Commons had slavishly obeyed the commands of his Majesty's servants, and had thereby exhibited, and proved to the conviction of every man, what might have been only matter of suspicion before—that *Ministers held a corrupt influence in Parliament*—it was demonstrable—it was indisputable. It was therefore particularly necessary for their Lordships, at this critical and alarming period, so full of jealousy and apprehension, to step forwards,

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and oppose themselves, on the one hand, to the justly incensed, and perhaps speedy intemperate rage of the people; and on the other, to the criminal and malignant conduct of his Majesty's Ministers: that they might prevent licentiousness on the one side, and depredation on the other. Their Lordships were the constitutional barrier between the extremes of liberty and prerogative.'

The House being in a Committee, the question was put, Whether the Speaker should resume the chair? which was decided in the affirmative by a great majority.

The question being now got rid of, and notwithstanding it was past twelve o'clock, the Earl of *Marchmont* made the following motion: "That any resolution of this House, directly or indirectly impeaching a judgment of the House of Commons in a matter where their jurisdiction is competent, final, and conclusive, would be a violation of the constitutional right of the Commons, tends to make a breach between the two Houses of Parliament, and leads to a general confusion."

* "It

* "It should seem that the Scotch kept this motion in their pockets; and that they reserved themselves for it; as neither the Earl of *Marchmont*, who made it, nor Lord *Mansfield*, who supported it, opened their mouths till now; when they both spoke with great vigour. The Earl of *Marchmont* threw out, by way of menace to the Opposition, that if they went one step further, they would justify the necessity of calling in foreign assistance. The Duke of *Richmond* called him to order, and asked for an explanation of the words *foreign assistance*. But he *shuffled* it off. Lord *Mansfield*, in a long speech insisted, that their Lordships had no right to interfere in any determination of the Commons. The Earl of *Egmont* said, the late petitions were highly censurable; the people had no right, nor even claim of right, to present such petitions—they were *treasonable*.

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Earl of
Egmont.

This harsh denunciation of the petitions, brought up the Earl of *Chatham*. His Lordship declared, "that however indignant he might feel upon such a dreadful

Earl of
Chatham.

* From the London Museum, vol. 1, page 190. It is not known that any other account of this debate was taken.

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sentence upon the petitioners, he hoped they would only smile when they heard it. He thanked Lord *Marchmont* for his *lenity*, in permitting the petitioners to have their heads on one day longer; and said the petitions were laudable and constitutional; and the right of the people, to present them, undoubted. He then replied to Lord *Mansfield*, and shewed the necessity of the House of Lords interfering, in case of an invasion of the people's liberties, or an unconstitutional determination of the House of Commons; and he affirmed, that the case of the county of Middlesex fell under both those denominations. Then he conjured them, by the noble blood which had run for so many ages in their veins, and by the noble struggles of their ancestors in behalf of liberty, not to behold with indifference a transaction so alarming; and modestly said of himself, for his own part, he was hardly warm in his seat. He quoted Lord *Somers* and Chief Justice *Holt*, in support of his law; and drew their characters very finely. He called them *honest men*, who knew and loved the English Constitution. Then turning to Lord *Mansfield*, he said, (with a *sneer*) I vow to God I think the noble
Lord

Lord equals them both—in *abilities*. Towards the conclusion he complained strongly of the motion's being *sudden*, and made at midnight, and pressed the necessity of an adjournment of only *two days*. He said, among other things, if the Constitution must be wounded, let it not receive its mortal stab at this dark and midnight hour, when honest men are asleep in their beds, and when only felons and assassins are seeking for prey.'

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At half past one in the morning the question was put, and decided in the affirmative.

On the second day of March 1770, a motion was made in the House of Lords by Lord *Craven*, for an Address to the King, requesting his Majesty would put his Royal Navy on such a footing as to secure respect to his Crown, and protection to the trade of his subjects.

The Earl of *Chatham* supported this motion. 'He condemned the conduct of the ministry in every particular, concerning the Navy. Having gone through great part of

Earl of
Chatham's
Speech on
Secret In-
fluence.
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the

CHAP.
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the subject, he took occasion to speak of the Secret Influence, which had pervaded the counsels of the present reign. He described this influence as having subsisted from the first moment of his Majesty's accession. He called it dangerous, base, unconstitutional and wicked. It had undermined and overturned every administration, however constituted or supported. He spoke he said, of an invisible, unresponsible influence—of the pernicious counsels of a favourite, who had occasioned all the unhappiness and disturbances in the nation, and whose agents had extended his pernicious politics and principles to the government and terror of the colonies; from all which he deprecated the worst of misfortunes. That although this favourite was at the present abroad, yet, his influence, by his confidential agents, was as potent as if he were present. Who does not know the Mazarnade of France—that Mazarine absent, was Mazarine still. What is there, he asked, to distinguish the two cases? The transaction of the late peace was a great proof, amongst many others, of his influence—that measure was his. Others participated in the guilt, but he was the principal.

Then

Then raising his voice, he asserted in a manly and dignified tone, *That this Country WAS SOLD at the late peace; that we were SOLD by the Court of Turin to the Court of France:* What more persons were concerned he would not at present state; but what he had stated was an indisputable FACT.

CHAP;
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1770.

‘ He himself had been duped by this secret influence at the moment when he least suspected treachery; when the prospect was fair, and when the appearances of confidence were strong; in particular, at the time when he was taken ill, and obliged to go to Bath for a short week; he had before he set out, formed, with great pains, attention and deliberation, some plans, which as he conceived, were highly interesting and of the utmost importance to this country; which had been approved in Council, and to which the King himself had given his approbation. But when he returned, he found his plans were all vanished into thin air,

‘ When I was earnestly called upon for the public service, I came from Somersetshire with wings of zeal. I consented to preserve a peace which I abominated; a peace I would
not

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not make, but would preserve when made. I undertook to support a Government by law; but to shield no man from public justice. These terms were accepted, I thought with sincerity accepted. I own I was credulous, I was duped, I was deceived; for I soon found that there was no ORIGINAL Administration to be suffered in this country. The same secret invisible influence still prevailed, which had put an end to all the successive administrations, as soon as they opposed or declined to act under it.'

Here the Duke of *Grafton* rose and said, I rise to defend the King; though, if I understand rightly the words which have been spoken, they are only the effects of a distempered mind, brooding over its own discontent.

To which Lord *Chatham* replied, 'I rise neither to deny, to retract, nor to explain away the words I have spoken. As for his Majesty, I always found every thing gracious and amiable in the Closet; so amiably condescending as a *promise*, in every repeated audience, not only to forgive, but to supply the defects of health by his chearful support,

port, and by the ready assistance of all his immediate dependants, &c. Instead of this, all the obstacles and difficulties which attended every great and public measure, did not arise from those out of Government: they were suggested, nourished and supported by that secret influence I have mentioned, and by the industry of those very dependants: first by secret treachery; then by official influence; afterwards in public Councils. A long train of these practices has at length unwillingly convinced me, that there is something behind the Throne greater than the King himself. As to the noble Duke, there was in his conduct, from the time of my being taken ill, a gradual deviation from every thing that had been settled and solemnly agreed to by his Grace, both as to measures and men; till at last there were not left two planks together of the ship which had been originally launched. As to a distempered mind, I have a drawer full of proofs that my principles have never given way to any disease; and that I have always had sufficient vigour of mind remaining to support them, and consequently to avoid all those snares, which from time to time have been so artfully laid to take advantage of my state
of

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of health; his Grace can witness better than any other man, because he has himself the letters which sufficiently prove it.*

The motion was negatived.

On the sixteenth day of March, a motion was made, to appoint a Committee to enquire into the state and expenditure of the Civil List.

Speech on
the Civil
List, and
dismissal
of Lord
Camden.

Lord *Chatham* spoke in support of the motion, 'He said the Civil List was appropriated, in the first instance, to the support of the Civil Government; and in the next to the honour and dignity of the Crown. In every other respect, the minute and particular expences of the Civil List are as open to Parliamentary examination and enquiry, in regard to the application and abuse as any other grant of the people, to any other purpose: and the Ministers are equally or more culpable for incurring an unprovided expence, and arrears in this service, as for any other. The preamble of the Civil

* The latter part of this speech is copied from the London Museum, vol. 1. page 248.

Lift acts prove this: and none but novices, will ever act without proper regard to them: and therefore, I can never consent to encrease fraudulently the Civil Establishment, under pretence of making up deficiencies; nor will I bid so high for Royal favor: and the Minister who is bold enough to spend the people's money, before it is granted (even though it were not for the purpose of corrupting their representatives), and thereby leaving the people of England no other alternative, but either to disgrace their Sovereign, by not paying his debts, or to become the prey of every unthrifty or corrupt Minister—such Minister deserves death.

‘ The late good old King had something of humanity, and amongst other royal and manly virtues, he possessed justice, truth, and sincerity, in an eminent degree; so that he had something about him, by which it was possible to know whether he liked you or disliked you.*

* It is proper to observe, that when Lord *Chatham* was forced out of office in October 1761, the King's Civil List not only stood clear of all incumbrances, but there was a balance at that time in the exchequer due to the crown, of upwards of one hundred and twenty thousand pounds. See *Secret Service* in Chap. XXI.

‘ I have

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‘ I have been told that I have a pension, and that I have recommended others to pensions. It is true; and here is a list of them: you will find there the names of General *Amherst*, Sir *Edward Hawke*, and several others of the same nature; they were given as rewards for real services, and as encouragements to other gallant heroes. They were honourably earned in a different sort of campaigns than those at Westminster; they were gained by actions, full of danger to themselves, of glory and benefit to this nation; not by corrupt votes of baseness to the destruction of their country.

‘ You will find no secret services there, and you will find, that when the warrior was recompensed, the Member of Parliament was left free. You will likewise find a pension of 1500*l.* a year to Lord *Camden*. I recommended his Lordship to be Chancellor; his public and private virtues were acknowledged by all; they made his station more precarious. I could not reasonably expect from him, that he would quit the Chief Justiceship of the Common Pleas, which he held for life, and put himself in the power of those who were not to be trusted,

to be dismissed from the Chancery, perhaps the day after his appointment. The public has not been deceived by his conduct. My suspicions have been justified. His integrity has made him once more a poor and a private man; he was dismissed for the opinion he gave in favour of the right of election in the people."

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Here Lord MARCHMONT, who lately talked of foreign force, called Lord CHATHAM to order. Some Lords called out "to the bar, to the bar!" Lord MARCHMONT moved, that Lord CHATHAM's words should be taken down.

Lord CHATHAM seconded the motion and added, 'I neither deny, retract, nor explain these words. I do re-affirm the fact, and I desire to meet the sense of the House; I appeal to the honour of every Lord in this House, whether he has not the same conviction."

Lord ROCKINGHAM, Lord TEMPLE, and many other Lords, did upon their honour affirm the same.

Lord

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Lord SANDWICH and Lord WEYMOUTH would have withdrawn the motion; but Lord MARCHMONT, encouraged by Lord MANSFIELD, persisted, and moved, that nothing had appeared to justify such an assertion.

Lord CHATHAM, 'My words remain unretracted, unexplained, and re-affirmed. I desire to know whether I am condemned, or acquitted; and whether I may still presume to hold up my head as high as the noble Lord, who moved to have my words taken down.'

To this no answer was given.

Lord CHATHAM was reproached with having recommended the Duke of GRAFTON; and that he had forced his Grace on the King as his first Minister.

Lord CHATHAM replied, 'I advised his Majesty to take the Duke of GRAFTON as first Lord of the Treasury, but there is such a thing as time as well as tide; and the conduct of the noble Duke has convinced me, that I am as likely to be deceived as any
other

other man, and as fallible as my betters. It was an expression of that great Minister Sir R. WALPOLE, upon a debate on the army in the year 1737, "those who gave the power of blood, gave blood." I will beg leave to parodize the expression, and say, those who gave the means of corruption, gave corruption. *I will trust no Sovereign in the world with the means of purchasing the liberties of the people.* When I had the honour of being the confidential keeper of the King's intention, he assured me, that he *never intended to exceed the allowance* which was made by parliament; and therefore, my Lords, at a time when there are no marks of personal dissipation in the King, at a time when there are no marks of any considerable sums having been expended to procure the secrets of our enemies; that a request of an enquiry into the expenditure of the Civil List should be refused, is to me most extraordinary. Does the King of England want to build a palace equal to his rank and dignity? Does he want to encourage the polite and useful arts? Does he mean to reward the hardy veteran, who has defended his quarrel in many a rough campaign, whose salary does not equal

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that of some of your servants? Or does he mean, by drawing the purse-strings of his subjects, to spread corruption through the people, to procure a Parliament, like a packed jury, ready to acquit his Ministers at all adventures. I do not say, my Lords, that corruption lies *here*, or that corruption lies *there*; but if any gentleman in England were to ask me, whether I thought both Houses of Parliament were bribed, *I should laugh in his face*, and say, "Sir, it is not so." My Lords, from all that has been said, I think it must appear, that an enquiry into the state and expenditure of the Civil List revenue is expedient, proper and just; a refusal of it at this time will only add ridicule to disgrace, and folly to enormity.'

The motion was negatived.

Queen
Anne's
Civil List.

On this subject of the Civil List, it cannot be improper to shew the falsity of a compliment paid by *Boyer, Tindal, Smollet, Goldsmith*, and other writers, and even by some Members of former Parliaments, in their speeches, when it has suited their purpose, to the late Queen ANNE. They say,

that

that for four years, she gave one hundred thousand pounds per annum, out of her Civil List, towards carrying on the war against France; and from hence they deduce an argument in proof of the œconomy and patriotism of that Princess. If the assertion had been true, the argument might have passed without notice. But when a compliment of this sort is paid, not only without foundation, but at the expence of truth, and of the nation, it is presumed that it will not be thought improper to state the Fact, for the information of those, who have not the Journals of Parliament, and other documents in their possession.

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In fact, this pretended generosity was one of the most scandalous actions that the Crown ever committed by any Administration. It was a manifest and gross cheat upon the Public, who were extravagant losers by it; for some time after, viz. upon the 25th of June, 1713, the Queen acquainted the House of Commons, by message, that she had contracted a very large debt upon her Civil List revenues, which she was unable to pay, and therefore desired to make them good; and such was

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the complaisance of a Tory Parliament, that notwithstanding the detestation which must have arisen in every honest breast, upon the detection of this clumsy juggle, and though Mr. SMITH, one of the Tellers of the Exchequer*, honestly informed the House, that the estimate of this debt was astonishing to him, being made to amount to August 1710, to 400,000*l*. Whereas, he was able to affirm from his own knowledge, that it amounted at that time to little more than 100,000*l*. and though many others undertook to prove, that the funds given for 700,000*l*. had, in reality, amounted to 800,000*l*. and though these gentlemen had prevailed so far as to procure an address to the Crown for an account of the Civil List debt at Midsummer, 1713, and for a yearly account of the net produce of the Civil List revenue, no regard was paid to this information, nor to this address; none of these accounts were ever permitted to be laid before the House, and upon the very next day they voted no less a sum than 500,000*l*. for this service.—This is the truth,

* The Tellers of the Exchequer were at that time Members of Parliament. They were excluded by Lord Bath's Act, 1743.

and

and the whole truth, of that generous exploit of the daughter of King JAMES II. It was a mean trick, by which the nation was cheated of 400,000l.—This Queen had as many private vices, and as few public virtues, as any Prince or Princess of her family.

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On the fifth day of April, Mr. GRENVILLE's Bill for trying Controverted Elections, was brought from the House of Commons by Mr. GRENVILLE, attended by one hundred Members.

Lord CHATHAM supported the Bill, and passed some very elegant encomiums upon it. He then said, That as he had begun his life out of a Court, he hoped he should end it out of a Court. He had no view of interest. All he meant was to rouse his country to a just sense of the blessings of this Constitution. Then he desired that the House might be summoned after the Holidays, for he designed to bring in a Bill to reverse the proceedings of the House of Commons on the Middlesex Election. He declared that his intention by this Bill, was to give the people a strong and tho-

Mr. Gren-
ville's
Election
Bill.

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rough sense of the great violation of the Constitution, by those unjust and arbitrary proceedings.

C H A P. XXXVIII.

Lord Chatham's Bill on the Middlesex Election, and Speech in support of the Bill—Lord Chatham's Motion, and Speech, on the King's Answer to a Petition from the City of London—His Motion for a Dissolution of Parliament—Some Heads of a Speech on Representation—His Letter to Lord Temple on that Subject—Anecdote on the same Subject from Lord Buchan—Goes into Somersetshire.

ON the first day of May, 1770, the Earl of CHATHAM presented to the House a Bill, intituled,

A Bill for reverſing the adjudications of the Houſe of Commons, whereby JOHN WILKES, Eſq; has been adjudged incapable of being elected a Member to ſerve in this preſent Parliament, and the freeholders of the county of Middleſex have been deprived of one of their legal representatives.

The ſaid Bill was read the firſt time.

The

The following is an accurate copy of the CHAP.
XXXVIII
Bill. 1770.

A Bill for reversing the adjudications of the House of Commons, whereby John Wilkes, Esq; has been adjudged incapable of being elected a Member to serve in this present Parliament, and the Freeholders of the County of Middlesex have been deprived of one of their legal Representatives.

WHEREAS the capacity of being elected a Representative of the Commons in Parliament (is under known limitations of law) an original inherent right of the subject; and forasmuch as to deprive the subject of this high franchise and birth-right, otherwise than by a judgment according to the law of the land, and the constant established usage of Parliament conformable thereto, and part thereof, is directly contrary to the fundamental laws and freedom of this realm, and in particular to the act, "declaring the rights and liberties of the subject, and settling the succession of the crown," at the ever-memorable period of

N 4

the

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the Revolution; when free election of Members of Parliament was expressly vindicated and secured,

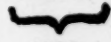
And whereas JOHN WILKES, Esq; having been duly elected and returned a knight of the shire to serve in this present Parliament for the county of Middlesex, was, on the 17th of February, 1769, without being heard, adjudged incapable of being elected a Member to serve in this present Parliament, by a resolution of the House of Commons, as follows;

“ Resolved,

“ That JOHN WILKES, Esq; having been in this session of Parliament expelled this House, was and is incapable of being elected a Member to serve in this present Parliament.”

And whereas on the same day the said House of Commons farther resolved as follows: “ That the late election of a knight of the shire to serve in this present Parliament for the county of Middlesex is a void election;”

And

And whereas the said JOHN WILKES, ^{CHAP, XXXVIII}
Esq; having been again duly elected and 
returned a knight of the shire to serve in ^{1770.}
this present Parliament for the county of
Middlesex, the said House of Commons did,
on the 17th of March, 1769, resolve in the
words following "That the election and
return of JOHN WILKES, Esq; who hath
been by this House adjudged incapable of
being elected a Member to serve in this pre-
sent Parliament, are null and void ;

And whereas the said JOHN WILKES,
Esq; having been again duly elected and
returned a knight of the shire to serve in
the present Parliament for the county of
Middlesex aforesaid, and having on the
original poll-books, eleven hundred and
forty-three votes in his favour, against two
hundred and ninety-six, in favour of HENRY
LAWES LUTTRELL, Esq; the House of
Commons did, on the 15th of April, 1769,
without a hearing of parties, and in manifest
violation of the indubitable right of the
Freeholders of the county of Middlesex to
chuse their representatives in Parliament,
resolve as follows;

That

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That HENRY LAWES LUTTRELL, Esq; ought to have been returned a knight of the shire to serve in this present Parliament for the county of Middlesex, and thereupon ordered the said return to be amended accordingly :

And whereas, by another resolution, of the 8th of May, 1762, the said House of Commons did, upon hearing the matter of the petition of the Freeholders of the county of Middlesex, as far as the same related to the election of HENRY LAWES LUTTRELL, farther resolve as follows :

“ That HENRY LAWES LUTTRELL, Esq; is duly elected a knight of the shire to serve in this present Parliament for the county of Middlesex.”

And forasmuch as all the resolutions aforesaid, cutting off the subject from his indubitable birth-right, by a vote of one House of Parliament exercising discretionary power and legislative authority, under colour of a jurisdiction in elections, are most arbitrary, illegal, and dangerous.

Be

Be it therefore declared and enacted, by the King's most excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons in this present Parliament assembled; and by the authority of the same, "That all the adjudications contained in the above-mentioned several resolutions are arbitrary and illegal, and the same are and shall be hereby reversed, annulled, and made void to all intents and purposes whatsoever."

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After the first reading of the said Bill, it was moved,

That the said Bill be read a second time, on Thursday next; which being warmly objected to by Lord DENBIGH, Lord CHATHAM replied, 'the noble Lord has been loud and violent against this motion. He seems to be very angry with the friends of this measure, but then he is angry *in such a sort*, that I am sure nobody can be angry with him; I shall, therefore, wave replying to some reflections he has thrown out upon the faction, as he is pleased to call it, and take

Lord
Chatham,

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take a short view of the cause of this motion. Here are 1143 legal, sworn, Freeholders, vote a gentleman their Member of Parliament, against 296 who oppose him: with this apparent majority, he comes to take his seat so given him by the laws and constitution of his country. But what do the House of Commons? Why, they shut the door in his face, and by a new state-arithmetic, make 296 a greater number than 1143. Is not this, my Lords, flying in the face of all law and freedom? Is not this apparently robbing the Freeholders of their liberty, and making a mere farce of Englishmen's birth-rights? It is very true, the House of Commons had a right, if petitioned by Colonel LUTTRELL, to enquire minutely into the qualifications of his opponent's electors; to admit none as such, but those duly qualified by law; and after making these deductions, then determine the majority. But this has not been even attempted. The seat of the legal representative has been wrested from him, and a violent outrage has been committed, that strikes at every thing that is dear and sacred to the liberties of Englishmen.

It

‘ It has been urged, my Lords, that there is no precedent for one House taking cognizance of the proceedings of the other. If my memory serves me right, I remember one nearly parallel, in the case of Titus Oates, where the Commons took cognizance of the proceedings of the Lords on that subject; so that it is no new thing for one House to be a check on the other, as it is not only established by precedent, but by the principles of our constitution.

‘ It is said, my Lords, that the spirit of discontent has gone abroad—I should be surprised if it had not; for how can it be otherwise, when to use a familiar expression, Colonel LUTTRELL sits in the *lap* of JOHN WILKES; when a corrupt House of Commons invert all law and order, and deny the just privilege the electors claim by the constitution of these kingdoms? Though I will not aid the voice of faction, I will aid the just complaints of the people; and while I have strength to crawl, I will exert my poor abilities in their service; and I here pledge myself to their cause, because I know it is the cause of truth and justice.

‘ I am

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‘ I am afraid, my Lords, this measure has sprung too near the throne—I am sorry for it: but I hope his Majesty will soon open his eyes, and see it in all its deformity; (Here Lord Pomfret interrupted him, by calling him to order) upon which Lord Chatham said, I do not retract my words—I esteem the King in his personal capacity, I revere him in his political one; and on these principles I hope he will see it, and see it in such a light, that he will redress it, by the dissolution of a House that could adopt such a measure.’

The motion to read the Bill a second time was negatived.

Lord STAFFORD (then Lord GOWER) moved to reject the bill; upon which the Lords divided 89 for the motion, 43 against it.

Before the House adjourned, Lord CHATHAM desired their Lordships might be summoned for the fourth of May; for, said he, I have a motion of great importance relative to the King.

On

On the fourth day of May Lord CHATHAM moved the following resolution :

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“ That it is the opinion of this House, that the advice, inducing his Majesty to give the answer to a late Humble Address, Remonstrance, and Petition, of the Lord Mayor, Aldermen, and Livery of the city of London, in Common-Hall assembled, is of a most dangerous tendency ; inasmuch as thereby, the exercise of the clearest rights of the subject ; namely, to petition the King for Redress of Grievances ; to complain of Violation of the freedom of Election ; to pray Dissolution of Parliament ; to point out Mal Practices in Administration ; and to urge the removal of Evil Ministers, has, under pretence of removing certain parts of the said Remonstrance and Petition, by the generality of *one* compendious word, CONTENTS, been indiscriminately checked with reprimand ; and the afflicted Citizens of London have heard from the throne itself, that the *contents* of their Humble Address, Remonstrance, and Petition, laying their *complaints* and *injuries* at the feet of the Sovereign, as *Father* of his people, *able* and *willing* to *redress* them, cannot
but

Ld. Chatham's Motion and Speech on the King's answer to the City of London.

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but be considered by his Majesty, as disrespectful to himself, injurious to Parliament, and irreconcilable to the Principles of the Constitution."

This motion being regularly read from the Woolfack, Lord CHATHAM proceeded, ' I am to consider, in consequence of this motion, what it was the Lord Mayor, Aldermen, and Livery of the city of London requested, in order to discover the causes they gave, by their requisition, for such an answer—an answer so harsh, that it exceeds every thing in the history of this country. They requested, my Lords, very humbly, a Restoration of the Freedom of Election, a Dismission of unjust Servants, and a Dissolution of a Parliament that protected those servants; because they (the Citizens of London) were not, legally, represented in such a Parliament. Now, my Lords, I do aver the truth of this petition; and I do likewise aver, that the Citizens of London, with the rest of his Majesty's subjects, have a right to petition, not only by Magna Charta, and the Bill of Rights, but by a variety of Acts of Parliament numerous as they are expressive. No particular part of the petition is applied

applied to, but the whole of the *contents* are at once disposed of. "That this Petition was disrespectful to himself, (the King) injurious to his Parliament, and irreconcilable to the principles of the Constitution."

I am too well acquainted, my Lords, with his Majesty, to think him capable of giving such an answer—nor could he do it, with propriety, either in his regal or personal capacity. I must beg your patience, my Lords, to consider this a little more attentively: 'First, *Disrespectful to himself.*' How is a King to know this? Is he a judge what is disrespectful to him? No, my Lords; the laws are to determine this for him, the just interpreters of offences. '*Injurious to my Parliament!*' How injurious to Parliament? when the very nature or part of the Petition, refers to that Freedom of Election in the People, by which *they* became a House of Judicature; '*Irreconcilable to the Principles of the Constitution,*' when the very essence of the Constitution, not only *permits* but *requires* petitioning the Throne, and what the *Stuarts* never dared to prevent in the zenith of their power. I repeat again, my Lords, the King could never give such an answer from himself; and, indeed, my

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Lords, poor as my opinion is of administration, I can hardly think it was a *joint official* advice, but the opinion of *one*, or a *confidential few*; for it is impossible, but if there were many, who were consulted upon this measure, some of them must see the absurdity of it.

• When I mentioned the Livery of London, I thought I saw a sneer upon some faces: but let me tell you, my Lords, though I have the honour to sit in this House, as a Peer of the Realm, coinciding with these honest Citizens in opinion, I am proud of the honour of associating my name with theirs. And let me tell the noblest of you all, it would be an honour to you. The Livery of London, my Lords, were respectable long before the reformation: the Lord Mayor of London was a *Principal* among the twenty-five Barons who received Magna Charta from King John, and they have ever since been considered to have a principal weight in all the affairs of government. How then have these respectable characters been treated? They have been sent away *fore afflicted* from his Majesty's presence,

presence, and reprimanded for pursuing their undoubted rights.'

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The motion was negatived.

On the fourteenth of May, Lord *Chatham* made a motion for an address to the King, to desire he would dissolve the present Parliament. 'He stated the public discontents in England, Ireland, and America: affirmed that the people had no confidence in the present House of Commons, who had betrayed their trust; and shewed, from the situation of public affairs, the great necessity of having a Parliament in whom the people could place a proper confidence! Instead of depriving a county of its representative, he said that one or more members ought to be added to the representation of the counties; in order to operate as a balance, against the weight of the several corrupt and venal boroughs, which perhaps could not be lopped off entirely, without the hazard of a public convulsion.' This was no crude suggestion: he repeated it afterwards in a letter to Lord TEMPLE: and as his opinion on this subject has been doubted, it will not be improper to state, in a note, the public use that was

Motion to
dissolve the
Parliament

On Representation.

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made of this letter *. All arguments were in vain. The Court Lords called for *the Question!*

* KENNET MAYOR. A Common Council holden in the Chamber of the Guildhall of the city of London, on Friday the seventh day of April, 1780: A Member presented to this Court an extract of a letter from the late Earl of Chatham to the late Earl TEMPLE, dated April 17, 1771, which was read, and ordered to be entered in the Journals of this Court, as follows:

“ Allow a speculator, in a great chair, to add, that a plan for more *equal Representation*, by additional *Knights of the Shire*, seems highly seasonable; and to shorten the *duration* of Parliament not less so. If your Lordship should approve, could Lord LYTTLETON’s caution be brought to taste those ideas, we should take possession of strong ground, let who will decline to follow us. One line of men, I am assured, will zealously support, and a respectable weight of law. *Si quid novisti rectius istis candidus imperti.*” Signed by order of the Court. RIX.

There is another anecdote of Lord CHATHAM upon this subject which deserves a place here. It is given by the Earl of BUCHAN, in his character of Thomson, the poet.

“ The highest encomium of Thomson is to be given him on account of his attachment to the cause of civil and political liberty. A free Constitution of Government, or what I would beg leave to call the *autocracy* of the people is the panacea of moral diseases; and after having been sought for in vain for ages, has been discovered in the bosom of truth, and at the feet of philosophy: the printing-press has been the dispensary, and half the world have been voluntary patients of the healing remedy.

Anecdote
of Lord
Chatham
by Lord
Buchan.

“ Eighteen years after Thomson’s death, the late Lord CHATHAM agreed with me in making this remark; and when I said, ‘ But, Sir, what will become of poor England, that doats on the imperfections of her pretended Constitution?’ he replied, ‘ My dear Lord, the gout will dispose of me soon enough to prevent me from feeling the consequences of this infatuation. But before
the

Question! the Question! and put a negative upon it.

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The session ended on the 19th of May.

Lord CHATHAM retired into Somersetshire during the summer *.

the end of this century either the Parliament will reform itself from within, or be reformed with a vengeance from without.—
“ Pythonick speech, speedily to be verified.”

* In the month of June the Princess of Wales went to Germany, and returned in October following. At Canterbury, and other places, she met with many insults from the people.

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Thanks of the City of London to Lord Chatham, and his Lordship's Answer—His Speech on the Seizure of Falkland's Islands—Secret and interesting History of that memorable Negotiation—Resignation of Lord Hawke—Explanatory Note—Double Cabinet.

LORD CHATHAM's Parliamentary conduct during the last session of Parliament, was highly approved by the nation. The testimony of the approbation of the City of London, at this time deserves to be particularly noticed. It was as follows.

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On the first day of June, a Committee of the Corporation of the City of London waited on his Lordship in Pall-Mall, when Sir *William Stephenson*, in the name of the Committee, addressed his Lordship to this effect:

MY LORD,

Thanks of
the City of
London to
Ld. Chat-
ham.

“ We have the pleasing satisfaction to deliver to your Lordship the grateful thanks of the citizens of London, for your Lordship’s most eminent public services; and we sincerely congratulate your Lordship on being equally distinguished in the direction of a glorious war, and in your endeavours to restore the principles of our most excellent Constitution.”

And then he presented the thanks of the Corporation which are as follow:

BECKFORD, MAYOR.

A Common Council, holden in the Chamber of the Guildhall of the City of London, on Monday, the 14th of May, 1770.

A motion was made, and question put,
‘ That the grateful thanks of this Court be presented to the Right Hon. *William Earl* of
of

of *Chatham*, for the zeal he has shewn in support of those most valuable and sacred privileges, the right of election, and the right of petition; and for his wishes and declaration, that his endeavours shall hereafter be used, that Parliaments may be restored to their original purity, by shortening their duration, and introducing a more full and equal representation; an act which will render his name more honoured by posterity, than the memorable successes of the glorious war he conducted.' The same was resolved in the affirmative, and ordered accordingly.

It is ordered, That the said resolution be fairly transcribed, and signed by the Town Clerk, and presented to his Lordship by Sir Wm. Stephenson, Knt. Barlow Trecothick, Bras Crosby, Esqrs. Aldermen, and James Townsend, Esq. Alderman, and one of the Sheriffs of this City; George Bellas, Esq. Mr. Deputy Thomas Cocksedge, Mr. Deputy William Judd, Samuel Freeman, Esq. Mr. Arthur Beardmore, Mr. James Sharp, Mr. Deputy Richard Townsend, and Mr. John Anderson, Commoners.

HODGES.

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To

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To which his Lordship was pleased immediately to reply:

“ GENTLEMEN,

His Lord-
ship's An-
swer.

“ It is not easy for me to give expression to all I feel, on the extraordinary honour done to my public conduct by the City of London; a body so highly respectable on every account; but above all, for their constant assertions of the birth-rights of Englishmen, in every great crisis of the Constitution.

“ In our present unhappy situation, my duty shall be on all proper occasions, to add the zealous endeavours of an individual to those legal exertions of Constitutional rights which, to their everlasting honour, the City of London has made in defence of freedom of election, and freedom of petition, and for obtaining effectual reparation to the electors of Great Britain.

“ As to one point among the declarations which I am understood to have made, of my wishes for the public, permit me to say there has been some misapprehension; for
with

with all my deference to the sentiments of the City, I am bound to declare, that I cannot recommend triennial Parliaments as a remedy against that canker in the Constitution, venality in elections; ready to submit my opinion to better judgment, if the wish for that measure shall become prevalent in the kingdom.

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“ Purity of Parliament is the corner-stone in the common-wealth; and as one obvious means towards this necessary end is to strengthen and extend the natural relation between the constituents and the elected, I have, in this view, publicly expressed my earnest wishes for a more full and equal representation, by the addition of one knight of the shire in a county, as a farther balance to the mercenary boroughs. I have thrown out this idea with the just diffidence of a private man, when he presumes to suggest any thing new on a high matter. Animated by your approbation, I shall with better hope continue humbly to submit it to the public wisdom, as an object to be most deliberately weighed, accurately examined, and maturely digested.

“ Having

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“ Having many times, when in the service of the Crown, and when retired from it, experienced, with gratitude, the favour of my fellow-citizens, I am now particularly fortunate that, with their good liking, I can offer any thing towards upholding this wisely-combined frame of mixed Government against the decays of time, and the deviations incident to all human institutions; and I shall esteem my life honoured indeed, if the City of London can vouchsafe to think that my endeavours have not been wanting to maintain the national honour, to defend the colonies, and extend the commercial greatness of my country, as well as to preserve from violation the law of the land, and the essential rights of the Constitution.”

On the thirteenth day of November 1770,
Parliament met.

Motion of
Falkland's
Islands.

About two months previous to the meeting of Parliament, an account arrived, of the Spaniards having seized upon Falkland's Islands. This act of hostility gave rise to a motion made by the Duke of *Richmond*, on the twenty-second day of November, To
present

present an address to his Majesty, requesting his Majesty would be graciously pleased to give orders, that there be laid before the House copies or extracts of all letters and papers received by the Ministry between the 12th of September, 1769, and the 12th of September 1770, containing any intelligence of hostilities commenced or intended to be commenced by the Court of Spain, or any of their officers, against any of his Majesty's dominions; and the times at which such intelligence was received.

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The motion was opposed by Lord *Weymouth*, upon the general ground of the impropriety of calling for such papers while the matter in question was the subject of a negotiation with the Spanish Ambassador. His Lordship carefully avoided giving the least light, or intimation whatsoever concerning the actual state, or progress of that negotiation, and expressed himself with caution and reserve. He concluded with moving, That the previous question might be put.

LD. WEY-
mouth

The Duke of *Richmond* supported his motion by a train of facts, for the truth of which

Duke of
Richmond

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which he repeatedly appealed to the Ministry themselves, and by a strength, and clearness of argument, which none of the other party even attempted to weaken or oppose. The main stress of his discourse seemed to rest upon the following facts; that on the third of last June, the *Tamur* sloop arrived at Plymouth, and brought an account, that a Spanish squadron had appeared off Falkland island, and ordered our people to depart; that this was a clear commencement of hostilities:—that from the third of June, to the 12th of September, (above three months) when our garrison arrived on board the *Favourite*, it did not appear, that the Ministry had taken any step whatsoever for obtaining redress, or to put the nation in a state of defence;—that the first orders for equipping a fleet, were given on or after the 12th of September;—that this armament, such as it was, had not yet produced one visible effect;—that since the 12th of September, near three months had elapsed, and still they were told, “*that the affair was in negotiation, the negotiation was still depending*”;—in that time three messengers had arrived from Madrid, and particularly one last Monday; and although three days had since

since passed, no communication had yet been made to Parliament of the intelligence he brought, or what was the final answer of the Court of Spain. That the terms of the motion plainly obviated the objection made by Lord *Weymouth*, of its tending to impede a negotiation now depending; since it did not call for any papers of a date subsequent to the notice received by the Ministry of the hostility being actually committed: consequently could not reach to any letters written, or received, or to any negotiation entered into, after the receipt of that notice; that he meant only to obtain for the House, some accurate information of circumstances, leading to, and accounting for a fact, which was itself notorious and undisputed. His Grace went largely into the consideration of the disgrace and infamy of suffering the honour of the Crown, and the rights of the people of England to be so long the subject of negotiation;—the folly or treachery of the King's servants in not accepting of the augmentation of seamen proposed and urged by the Lords in Opposition, early in the last session, when a proposal for strengthening the hands of Government had been rejected merely because
it

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it came from that quarter;—their supineness or treachery, in not arming early in June, when they heard of our people being warned to quit the island, by a military forcethreatening compulsion;—and lastly, the feebleness and slow progress of the armament they had made, and the disgraceful situation of the King, who stood with a public affront, and dishonour fixed upon his Crown, and without any attempt made, in the course of almost six months, to wipe it away. His Grace observed, that the hostile intentions of Spain were not only declared by the open hostility itself, but confirmed by two extraordinary facts, which he stated to the House, and which, after repeated appeals, stood uncontradicted by the ministry. He said, that after the Spaniards had taken possession of Port Egmont, they did not suffer the Garrison to depart immediately, but took away the rudder of his Majesty's ship, and detained her by force for the space of twenty days;—that supposing they had a claim to the island, they had none to the King's ship; and detaining her was an express violation of treaty, by which, even in the case of an open rupture, six months are allowed to the subjects of each

each nation to remove their persons and property from the dominions of the other —The other fact seemed, and was urged as still more important. He asserted, that he had intelligence not to be doubted, that at this moment, there are in the several Spanish prisons not less than three thousand British seamen, (particularly at Ceuta on the coast of Africa) who had been taken out of our merchant ships by Spanish Guarda Costas, and condemned to perpetual slavery, or confinement. He then quoted a strong instance since the peace, and read the original letters relating to it, where five of our seamen had been demanded by one of our Admirals, and had been refused by a Spanish Admiral and Governor, who expressed a willingness to oblige him; but alledged that it would be a breach of their orders and instructions.

These were the principal materials of his Grace's speech. The several parts were filled up with judicious and pointed observations, expressed in a clear, nervous language, and delivered with plainness and dignity.

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Ld. Hills-
borough.

Lord *Hillsborough* took up the argument upon the same footing with Lord *Weymouth*, but carried it much farther than his Lordship had done. He informed the House that he knew the contents of the papers called for, therefore could assert upon his own knowledge, that the production of them at that time would tend greatly to embarrass a negotiation already in a prosperous train, and which promised an happy conclusion;—He insisted much upon the delicacy of Spanish honour;—that it was their natural characteristic;—that infinite regard and tenderness, ought to be shewn to the punctilios of that court,—and begged of the noble Lords to consider how far these punctilios might unavoidably retard and embarrass a treaty of this nature;—that, as the Messenger only arrived on Monday morning, the Spanish Ambassador probably had not time to make himself master of his dispatches, nor to determine upon the form and manner in which he should execute his instructions. The remainder of his speech, which was delivered in very high terms, and with a tone elevated above the pomp of tragedy, turned entirely upon the flourishing state of this country, and the
prudence,

prudence, vigour and vigilance of his Majesty's servants.

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Lord
Chatham,

Earl of *Chatham*. 'I rise to give my hearty assent to the motion made by the noble Duke; by his Grace's favour, I have been permitted to see it, before it was offered to the House. I have fully considered the necessity of obtaining from the King's servants a communication of the papers described in the motion, and I am persuaded that the alarming state of facts, as well as the strength of reasoning, with which the noble Duke has urged, and enforced that necessity, must have been powerfully felt by your Lordships;—what I mean to say, upon this occasion, may seem perhaps to extend beyond the limits of the motion before us. But I flatter myself, my Lords, that if I am honoured with your attention, it will appear that the meaning and object of this question are naturally connected with considerations of the most extensive, national importance. For entering into such considerations, no season is improper; no occasion should be neglected. Something must be done, my Lords and immediately, to save an injured, insulted, undone country. If not to save

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the State, my Lords, at least to mark out, and drag to public justice those servants of the crown, by whose ignorance, neglect, or treachery, this once great flourishing people are reduced to a condition as deplorable at home, as it is despicable abroad. Examples are wanted, my Lords, and should be given to the world, for the instruction of future times, even though they be useless to ourselves. I do not mean, my Lords, nor is it intended by the motion, to impede, or embarrass a negotiation, which we have been told is now in a prosperous train, and promises a happy conclusion.'

Lord *Weymouth*. I beg pardon for interrupting the noble Lord, but I think it necessary to remark to your Lordships, that I have not said a single word tending to convey to your Lordships any information, or opinion, with regard to the state, or progress of the negotiation—I did, with the utmost caution, avoid giving to your Lordships the least intimation upon that matter.

Earl of *Chatham*. 'I perfectly agree with the noble Lord. I did not mean to refer to any thing said by his Lordship.
He

He expressed himself, as he always does, with moderation, and reserve, and with the greatest propriety;—it was another noble Lord, very high in office, who told us he understood that the negotiation was in a favourable train.

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Earl of *Hillsborough*. I did not make use of the word *Train*. I know the meaning of the word too well. In the language from which it was derived, it signifies protraction, and delay, which I could never mean to apply to the present negotiation.

L. Hills-
borough

Earl of *Chatham*. 'This is the second time that I have been interrupted. I submit it to your Lordships whether this be fair, and candid treatment. I am sure it is contrary to the orders of the House, and a gross violation of decency, and politeness. I listen to every noble Lord in this House with attention, and respect. The noble Lord's design in interrupting me, is as mean, and unworthy, as the manner in which he has done it is irregular and disorderly. He flatters himself that, by breaking the thread of my discourse, he shall confuse me in my

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argument. But, my Lords, I will not submit to this treatment. I will not be interrupted. When I have concluded let him answer me if he can.—As to the word, which he has denied, I still affirm that it was the word he made use of; but if he had used any other, I am sure every noble Lord will agree with me, that his meaning was exactly what I had expressed it. Whether he said course or train is indifferent—He told your Lordships that the negotiation was in a way that promised a happy, and honourable conclusion. His distinctions are mean, frivolous, and puerile. My Lords,—I do not understand the exalted tone assumed by that noble Lord. In the distress, and weakness of this country, my Lords, and conscious as the ministry ought to be how much they have contributed to that distress and weakness, I think a tone of modesty, of submission, of humility, would become them better; *quædam causæ modestiam desiderant*. Before this country they stand as the greatest criminals. Such I shall prove them to be; for I do not doubt of proving, to your Lordships satisfaction, that since they have been entrusted with the conduct of the King's affairs they have done every thing that they ought

ought not to have done, and hardly any thing that they ought to have done—The noble Lord talks of Spanish punctilios in the lofty style and idiom of a Spaniard. We are to be wonderfully tender of the Spanish point of honour, as if *they* had been the complainants, as if *they* had received the injury. I think he would have done better to have told us, what care had been taken of the English honour. My Lords, I am well acquainted with the character of that nation, at least as far it is represented by their court and ministry, and should think this country dishonoured by a comparison of the English good faith with the punctilios of a Spaniard. My Lords, the English are a candid, an ingenuous people; the Spaniards are as mean and crafty, as they are proud and insolent. The integrity of the English merchant, the generous spirit of our naval and military officers, would be degraded by a comparison with *their* merchants or officers. With their ministers I have often been obliged to negotiate, and never met with an instance of candour or dignity in their proceedings; nothing but low cunning, trick, and artifice. After a long experience of their want of candour and good faith, I found myself com-

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elled to talk to them in a peremptory, decisive language. On this principle I submitted my advice to a trembling council for an immediate declaration of a war with Spain. Your Lordships well know what were the consequences of not following that advice. Since, however, for reasons unknown to me, it has been thought adviseable to negotiate with the court of Spain, I should have conceived that the great and single object of such a negotiation would have been, to have obtained complete satisfaction for the injury done to the crown and people of England. But, if I understand the noble Lord, the only object of the present negotiation is to find a salvo for the punctilious honour of the Spaniards. The absurdity of such an idea is of itself insupportable. But, my Lords, I object to our negotiating at all, in our present circumstances. We are not in that situation, in which a great and powerful nation is permitted to negotiate.—A foreign power has forcibly robbed his Majesty of a part of his dominions. Is the island restored? Are you replaced in *statu quo*? If that had been done, it might then perhaps have been justifiable to treat with the aggressor upon the satisfaction he ought to make

make for the insult offered to the crown of England. But will you descend so low? will you so shamefully betray the King's honour, as to make it matter of negotiation whether his Majesty's possessions shall be restored to him or not? I doubt not, my Lords, that there are some important mysteries in the conduct of this affair, which, whenever they are explained, will account for the profound silence now observed by the King's servants. The time will come, my Lords, when they shall be dragged from their concealments. There are some questions, which, sooner or later, must be answered. The Ministry, I find, without declaring themselves explicitly, have taken pains to possess the public with an opinion, that the Spanish Court have constantly disavowed the proceedings of their governor; and some persons, I see, have been shameless and daring enough to advise his Majesty to support and countenance this opinion in his speech from the throne. Certainly, my Lords, there never was a more odious, a more infamous falsehood imposed on a great nation—It degrades the King's honour—it is an insult to parliament. His Majesty has been advised to confirm and give currency

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to an *absolute falsehood*. I beg your Lordship's attention, and I hope I shall be understood, when I repeat, that the Court of Spain's having disavowed the act of their governor is an *absolute, a palpable falsehood*. Let me ask, my Lords, when the first communication was made by the Court of Madrid, of their being apprised of their taking of Falkland's Islands, was it accompanied with an offer of instant restitution, of immediate satisfaction, and the punishment of the Spanish governor? If it was not, they have adopted the act as their own, and the very mention of a disavowal is an impudent insult offered to the King's dignity. The King of Spain disowns the thief, while he leaves him unpunished, and profits by the theft; in vulgar English, he is the receiver of stolen goods, and ought to be treated accordingly.

‘ If your Lordships will look back to a period of the English history, in which the circumstances are reversed, in which the Spaniards were the complainants, you will see how differently *they* succeeded: you will see one of the ablest men, one of the bravest officers this or any other country ever produced (it is hardly necessary to mention the

the name of Sir Walter Raleigh) sacrificed by the meanest prince that ever sat upon the throne, to the vindictive jealousy of that haughty court. James the First was base enough, at the instance of Gondomar, to suffer a sentence against Sir Walter Raleigh, for another supposed offence, to be carried into execution almost twelve years after it had been passed. This was the pretence. His real crime was, that he had mortally offended the Spaniards, while he acted by the King's express orders, and under his commission.

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‘ My Lords, the pretended disavowal by the court of Spain is as ridiculous as it is false. If your Lordships want any other proof, call for your own officers, who were stationed at Falkland Island. Ask the officer who commanded the garrison, whether, when he was summoned to surrender, the demand was made in name of the governor of Buenos Ayres, or of his Catholic Majesty? Was the island said to belong to Don Francisco Bucarelli, or to the King of Spain? If I am not mistaken, we have been in possession of these islands since the year 1764, or 1765. Will the ministry assert, that, in all that

that time, the Spanish court have never once claimed them? that their right to them has never been urged, or mentioned to our ministry? If it has, the act of the governor of Buenos Ayres is plainly the consequence of our refusal to acknowledge and submit to the Spanish claims. For five years they negotiate; when that fails, they take the island by force. If that measure had arisen out of the general instructions, constantly given to the governor of Buenos Ayres, why should the execution of it have been deferred so long?

* My Lords, if the falshood of this pretended disavowal had been confined to the Court of Spain, I should have admitted it without concern. I should have been content that they themselves had left a door open for excuse, and accommodation. The King of England's honour is not touched till he adopts the falshood, delivers it to his Parliament, and makes it his own.

* I cannot quit this subject without comparing the conduct of the present Ministry with that of a Gentleman (Mr. GEORGE GRENVILLE,) who is now no more. The
occasions

occasions were similar.—The French had taken a little island from us called Turk's island. The Minister then at the head of the Treasury, took the business upon himself; but he did not negotiate: he sent for the French Ambassador and made a peremptory demand. A courier was dispatched to Paris, and returned in a few days, with orders for instant restitution, not only of the island, but of every thing that the English subjects had lost*.

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* Such

• The state of the fact was as follows:—When the advice arrived in England of the French having seized Turk's Island, in the year 1764, a debate arose in the British Council upon the measures necessary to be taken with France upon that occasion. The whole Council, one only excepted, were for a remonstrance to the French Court, and they founded their opinion upon an apprehension, lest a spirited conduct might induce that Court to break the peace, and by some unforeseen means, precipitate us into measures which might terminate in a rupture between the two nations. The one who ventured to differ from all the rest was the Right Hon. GEORGE GRENVILLE. He urged the necessity of a spirited conduct as the only means of preserving the peace. That France, who was unable to continue the late war, was equally incapable of beginning another. That if we did not immediately shew a spirited and warm resentment to her behaviour on this occasion, she would certainly repeat her insults, and accompany them with language that her pride would oblige her to support, and thus silence or tameness on our side would infallibly lead to a rupture. Upon this, the two Secretaries of State (at that time Lord HALIFAX and Lord SANDWICH) committed the whole negotiation to Mr. GRENVILLE. He undertook it, and sent for Count GUERCHY, who was at that time the French Ambassador at

‘ Such then, my Lords, are the circumstances of our difference with Spain; and in this situation, we are told that a negoti-

at the British Court. In a short conversation which immediately ensued upon this subject, Mr. GRENVILLE told the Ambassador in plain terms, that the French forces who had invaded and seized Turk’s Island must immediately evacuate the same, and restore it to the quiet possession of the English. The Ambassador said in excuse for the conduct of his Court, that the King, his master, had claims upon that island, and that he was ready to enter into a negotiation upon them. To which the English Minister peremptorily answered, whatever claims you have, set them up, we will hear them. But first, the island must and shall be restored. We will not hear of any claims or negotiation while the island is in the hands of the French King. It is absurd to seize the island, and then talk of a negotiation about claims. When the island is restored to his Britannic Majesty, then, and not till then, will a single word about claims be heard or admitted. He concluded in a firm and determined manner to this effect. Sir, I will wait nine days for your answer, in which time you may send and receive advice from your Court, whether the King will immediately order his forces to evacuate Turk’s Island, and restore it to the full and quiet possession of the English, or not: and if I do not receive your answer at the end of nine days, the fleet that is now lying at Portsmouth [there was a fleet then at Portsmouth, waiting for sailing orders] shall sail directly to the island and reinstate it in the possession of the King of Great Britain. The Ambassador went away, and soon after returned to shew the British Minister the dispatches he had prepared upon the occasion. Mr. GRENVILLE gave him leave to insert the conversation that had passed between them. On the sixth day, a copy of the orders signed by the French King, for restoring the island to the English, arrived.

A similar measure of spirit was adopted by the same Minister with the Spaniards, who had drove our settlers from Honduras, to whom fourteen days had been allowed: upon which all was instantly and amicably adjusted.

ation

ation has been entered into, that this negotiation, which must have commenced near three months ago, is still depending, and that any insight into the actual state of it will impede the conclusion. My Lords, I am not, for my own part, very anxious to draw from the Ministry the information which they take so much care to conceal from us. I very well know where this honourable negotiation *will* end; where it *must* end.—We may, perhaps, be able to patch up an accommodation for the present, but we shall have a Spanish war in six months. Some of your Lordships may, perhaps, remember the convention. For several successive years our merchants had been plundered—no protection given them—no redress obtained for them; during all that time we were contented to complain, and to negotiate;—the Court of Madrid were then as ready to disown their officers, and as unwilling to punish them, as they are at present. Whatever violence happened was always laid to the charge of one or other of their West India Governors. To-day it was the Governor of Cuba, to-morrow of Porto Rico, Carthagena, or Porto Bello. If in a particular instance, redress was promised, how was that
promise

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promise kept? The merchant, who had been robbed of his property, was sent to the West Indies, to get it, if he could out of an empty chest. At last the convention was made; but, though approved by a majority of both Houses, was received by the nation with universal discontent. I myself heard that wise man (*Sir Robert Walpole*) say in the House of Commons, " 'Tis true we have got a convention and a vote of Parliament; but what signifies it, we shall have a Spanish war upon the back of our convention."—Here, my Lords, I cannot help mentioning a very striking observation made to me by a noble Lord, (the late Lord *Granville*) since dead. His abilities did honour to this House, and to this nation. In the upper departments of Government he had not his equal; and I feel a pride in declaring, that to his patronage, to his friendship, and instruction, I owe whatever I am.—This great man has often observed to me that, in all the negotiations which preceded the convention, our Ministers never found out that there was no ground, or subject for any negotiation. That the Spaniards had not a right to search our ships, and when they attempted to regulate that right by treaty, they were regulating a thing

thing which did not exist. This I take to be something like the case of the Ministry. The Spaniards have seized an island they have no right to, and his Majesty's servants make it matter of negotiation, whether his dominions shall be restored to him or not.

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‘ From what I have said, my Lords, I do not doubt but it will be understood by many Lords, and given out to the public, that I am for hurrying the nation, at all events, into a war with Spain. My Lords, I disclaim such councils, and I beg that this declaration may be remembered—Let us have peace, my Lords, but let it be honourable, let it be secure. A patched up peace will not do. It will not satisfy the nation, though it may be approved of by Parliament. I distinguish widely between a solid peace, and the disgraceful expedients, by which a war may be deferred, but cannot be avoided. I am as tender of the effusion of human blood, as the noble Lord who dwelt so long upon the miseries of the war. If the bloody politics of some noble Lords had been followed, England, and every quarter of his Majesty's dominions would have been glutted with blood—the blood of our own countrymen.

‘ My

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‘My Lords, I have better reasons, perhaps, than many of your Lordships for desiring peace upon the terms I have described. I know the strength and preparation of the House of Bourbon; I know the defenceless, unprepared condition of this country. I know not by what mismanagement we are reduced to this situation; and when I consider, who are the men by whom a war, in the outset at least, must be conducted, can I but wish for peace?—Let them not screen themselves behind the want of intelligence—they had intelligence: I know they had. If they had not, they are criminal; and their excuse is their crime.—But I will tell these young Ministers the true source of intelligence. It is sagacity. Sagacity to compare causes and effects; to judge of the present state of things, and discern the future by a careful review of the past.—*Oliver Cromwell*, who astonished mankind by his intelligence, did not derive it from spies in the Cabinet of every Prince in Europe: he drew it from the cabinet of his own sagacious mind. He observed facts and traced them forward to their consequences. From what was, he concluded what must be, and he never was deceived. In the present situation of affairs,
I think

I think it would be treachery to the nation to conceal from them their real circumstances, and with respect to a foreign enemy, I know that all concealments are vain and useless. They are as well acquainted with the actual force and weakness of this country, as any of the King's servants.—This is no time for silence, or reserve. I charge the Ministers with the highest crimes that men in their stations can be guilty of. I charge them with having destroyed all content and unanimity at home, by a series of oppressive, unconstitutional measures; and with having betrayed, and delivered up the nation defenceless to a foreign enemy.

‘ Their utmost vigour has reached no farther than to a fruitless, protracted negotiation. When they should have acted, they have contented themselves with talking *about it, Goddess, and about it*—If we do not stand forth, and do our duty in the present crisis, the nation is irretrievably undone. I despise the little policy of concealments. You ought to know the whole of your situation. If the information be new to the Ministry, let them take care to profit by it. I mean to rouse, to alarm the whole nation—to rouse

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the Ministry, if possible, who seem to awake to nothing but the preservation of their places—to awaken the King.

‘Early in the last spring, a motion was made in Parliament, for enquiring into the state of the Navy, and an augmentation of six thousand seamen was offered to the Ministry. They refused to give us any insight into the condition of the Navy, and rejected the augmentation. Early in June they received advice of a commencement of hostilities by a Spanish armament, which had warned the King’s garrison to quit an island belonging to his Majesty. From that to the 12th of September, as if nothing had happened, they lay dormant. Not a man was raised, not a single ship was put into commission. From the 12th of September, when they heard of the first blow being actually struck, we are to date the beginning of their preparations for defence. Let us now enquire, my Lords, what expedition they have used, what vigour they have exerted. We have heard wonders of the diligence employed in impressing, of the large bounties offered, and the number of ships put into commission. These have been, for some
time

time past, the constant topics of Ministerial boast and triumph. Without regarding the description, let us look to the substance: I tell your Lordships that, with all this vigour and expedition, they have not, in a period of considerably more than two months, raised ten thousand seamen: I mention that number, meaning to speak largely, though in my own breast, I am convinced that the number does not exceed eight thousand. But it is said they have ordered forty ships of the line into commission. My Lords, upon this subject I can speak with knowledge—I have been conversant in these matters, and draw my information from the greatest and most respectable naval authority that ever existed in this country—I mean the late Lord *Anson*. The merits of that great man are not so universally known, nor his memory so warmly respected as he deserved. To his wisdom, to his experience, and care, (and I speak it with pleasure) the nation owes the glorious naval successes of the last war. The state of facts laid before Parliament in the year 1756, so entirely convinced me of the injustice done to his character, that in spite of the popular clamours raised against him, in direct opposition to the com-

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plaints of the merchants, and of the whole city, (whose favour I am supposed to court upon all occasions) I replaced him at the head of the Admiralty; and I thank God that I had resolution enough to do so. Instructed by this great seaman, I do affirm, that forty ships of the line, with their necessary attendant frigates, to be properly manned, require forty thousand seamen. If your Lordships are surpris'd at this assertion, you will be more so, when I assure you, that in the last war, this country maintained 85,000 seamen, and employed them all. Now, my Lords, the peace establishment of your navy, supposing it complete, and effective, (which by the by ought to be known) is sixteen thousand men. Add to these the number newly raised, and you have about twenty-five thousand men to man your fleet. I shall come presently to the application of this force, such as it is, and compare it with the services, which I know are indispensable. But first, my Lords, let us have done with the boasted vigour of the Ministry. Let us hear no more of their activity. If your Lordships will recal to your minds the state of this country when Mahon was taken, and compare what was done by Government at that

that time, with the efforts now made in very similar circumstances, you will be able to determine what praise is due to the vigorous operations of the present Ministry. Upon the first intelligence of the invasion of Minorca, a great fleet was equipped, and sent out; and near double the number of seamen collected in half the time taken to fit out the present force, which pitiful as it is, is not yet, if the occasion were ever so pressing, in a condition to go to sea. Consult the returns, which were laid before Parliament in the year 1756. I was one of those who urged a Parliamentary inquiry into the conduct of the Ministry. That Ministry, my Lords, in the midst of universal censure and reproach, had honour and virtue enough to promote the inquiry themselves. They scorned to evade it by the mean expedient of putting a previous question. Upon the strictest inquiry it appeared, that the diligence they had used in sending a Squadron to the Mediterranean, and in their other naval preparations, was beyond all example.

‘My Lords, the subject on which I am speaking, seems to call upon me, and I willingly take this occasion to declare my opinion

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upon

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upon a question, on which much wicked pains have been employed to disturb the minds of the people, and to distress Government.—My opinion may not be very popular; neither am I running the race of popularity. I am myself clearly convinced, and I believe every man who knows any thing of the English navy will acknowledge, that without impressing, it is impossible to equip a respectable fleet within the time in which such armaments are usually wanted. If this fact be admitted, and if the necessity of arming upon a sudden emergency should appear incontrovertible, what shall we think of those men, who in the moment of danger, would stop the great defence of their country. Upon whatever principle they may act, the act itself is more than faction—it is labouring to cut off the right hand of the community. I wholly condemn their conduct, and am ready to support any motion that may be made, for bringing those aldermen, who have endeavoured to stop the execution of the Admiralty warrants, to the bar of this House. My Lords, I do not rest my opinion merely upon necessity. I am satisfied that the power of impressing is founded upon uninterrupted usage. It is the *consuetudo*

tudo Regni, and part of the common law prerogative of the crown. When I condemn the proceedings of some persons upon this occasion, let me do justice to a man whose character and conduct have been most infamously traduced; I mean the late Lord Mayor, Mr. *Trecothick*. In the midst of reproach and clamour, he had firmness enough to persevere in doing his duty. I do not know in office a more upright magistrate; nor, in private life, a worthier man.

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‘Permit me now, my Lords, to state to your Lordships the extent and variety of the service which must be provided for, and to compare them with our apparent resources. A due attention to, and provision for these services, is prudence in time of peace; in war it is necessity. Preventive policy, my Lords, which obviates or avoids the injury, is far preferable to that vindictive policy, which aims at reparation, or has no object but revenge. The precaution that meets the disorder is cheap and easy; the remedy which follows it, bloody and expensive. The first great and acknowledged object of national defence in this country, is to maintain such a superior naval force at home,

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that even the united fleets of France and Spain may never be masters of the Channel. If that should ever happen, what is there to hinder their landing in Ireland, or even upon our own coast? They have often made the attempt: in King *William's* time it succeeded. King *James* embarked on board a French fleet, and landed with a French army in Ireland. In the mean time the French were masters of the Channel, and continued so until their fleet was destroyed by Admiral *Ruffel*. As to the probable consequences of a foreign army landing in Great Britain or Ireland, I shall offer your Lordships my opinion when I speak of the actual condition of our standing army.

* The second naval object with an English minister, should be to maintain at all times a powerful western squadron. In the profoundest peace it should be respectable; in war it should be formidable. Without it, the colonies, the commerce, the navigation of Great Britain, lie at the mercy of the House of Bourbon. While I had the honour of acting with Lord *Anson*, that able officer never ceased to inculcate upon the minds of his Majesty's servants the necessity of
constantly

constantly maintaining a strong western squadron; and I must vouch for him, that while *he* was at the head of the marine it was never neglected,

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‘ The third object indispensable, as I conceive, in the distribution of our navy, is to maintain such a force in the Bay of Gibraltar as may be sufficient to cover that garrison, to watch the motions of the Spaniards, and to keep open the communication with Minorca. The ministry will not betray such want of information as to dispute the truth of any of these propositions. But how will your Lordships be astonished, when I inform you in what manner they have provided for these great, these essential objects? As to the first, I mean the defence of the Channel, I take upon myself to affirm to your Lordships, that, at this hour (and I beg that the date may be taken down and observed) we cannot send out eleven ships of the line so manned and equipped that any officer of rank and credit in the service shall accept of the command and stake his reputation upon it. We have one ship of the line at Jamaica, one at the Leeward islands, and one at Gibraltar; yet at this very moment,

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for ought the ministry know, both Jamaica and Gibraltar may be attacked; and if they are attacked (which God forbid) they must fall. Nothing can prevent it but the appearance of a superior squadron. It is true that, some two months ago, four ships of the line were ordered from Portsmouth, and one from Plymouth, to carry a relief from Ireland to Gibraltar. These ships, my Lords, a week ago, were still in port. If, upon their arrival at Gibraltar, they should find the Bay possessed by a superior squadron, the relief cannot be landed; and if it could be landed, of what force do your Lordships think it consists? Two regiments, of four hundred men each, at a time like this, are sent to secure a place of such importance as Gibraltar! a place which it is universally agreed cannot hold against a vigorous attack from the sea, if once the enemy should be so far masters of the Bay as to make a good landing even with a moderate force. The indispensable service of the lines requires at least four thousand men. The present garrison consists of about two thousand three hundred; so that, if the relief should be fortunate enough to get on shore, they will want

want eight hundred men of their necessary complement.

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‘ Let us now, my Lords, turn our eyes homewards. When the defence of Great Britain or Ireland is in question, it is no longer a point of honour; it is not the security of foreign commerce, or foreign possessions; we are to contend for the very being of the state. I have good authority to assure your Lordships that the Spaniards have now a fleet at Ferrol, completely manned and ready to sail, which we are in no condition to meet. We could not this day send out eleven ships of the line properly equipped, and to-morrow the enemy may be masters of the Channel. It is unnecessary to press the consequences of these facts upon your Lordships minds. If the enemy were to land in full force, either upon this coast or in Ireland, where is your army? where is your defence? My Lords, if the House of Bourbon make a wise and vigorous use of the actual advantages they have over us, it is more than probable that on this day month we may not be a nation. What military force can the ministry shew to answer any sudden demand? I do not speak of foreign expeditions,

expeditions, or offensive operations. I speak of the interior defence of Ireland, and of this country. You have a nominal army of seventy battalions, besides guards and cavalry. But what is the establishment of these battalions? Supposing they were complete to the numbers allowed (which I know they are not) each regiment would consist of something less than four hundred men, rank and file. Are these battalions complete? Have any orders been given for an augmentation, or do the ministry mean to continue them upon their present low establishment? When America, the West Indies, Gibraltar, and Minorca, are taken care of, consider, my Lords, what part of this army will remain to defend Ireland and Great Britain? This subject, my Lords, leads me to considerations of foreign policy and foreign alliance. It is more connected with them than your Lordships may at first imagine. When I compare the numbers of our people, estimated highly at seven millions, with the population of France and Spain, usually computed at twenty-five millions, I see a clear, self-evident impossibility for this country to contend with the united power of the house of Bourbon, merely upon the strength of its

own resources. They who talk of confining a great war to naval operations only, speak without knowledge or experience. We can no more command the disposition than the events of a war. Where ever we are attacked, there we must defend.

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‘ I have been much abused, my Lords, for supporting a war, which it has been the fashion to call *my* German war. But I can affirm, with a clear conscience, that, that abuse has been thrown on me by men, who were either unacquainted with facts, or had an interest in misrepresenting them, I shall speak plainly and frankly to your Lordships upon this, as I do upon every occasion. That I did in Parliament oppose, to the utmost of my power, our engaging in a German war, is most true; and if the same circumstance were to recur, I would act the same part, and oppose it again. But when I was called upon to take a share in the administration, that measure was already decided. Before I was appointed Secretary of State, the first treaty with the King of Prussia was signed, and not only ratified by the crown, but approved of and confirmed by a resolution of both Houses of Parliament.

Parliament. It was a weight fastened up-
on my neck. By that treaty; the honour of
the crown and the honour of the nation were
equally engaged. How I could recede from
such an engagement; how I could advise
the crown to desert a great prince in the
midst of those difficulties, in which a reliance
upon the good faith of this country had
contributed to involve him, are questions I
willingly submit to your Lordships candor.
That wonderful man might, perhaps, have
extricated himself from his difficulties with-
out our assistance. He has talents which,
in every thing that touches the human capa-
city, do honour to the human mind. But
how would England have supported that
reputation of credit and good faith, by
which we have been distinguished in Eu-
rope? What other foreign power would
have sought our friendship? What other
foreign power would have accepted of an
alliance with us?

‘ But, my Lords, though I wholly con-
demn our entering into any engagements
which tend to involve us in a continental
war, I do not admit that alliances with some
of the German Princes are either detrimen-
tal

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tal or useless. They *may be*, my Lords, not only useful, but necessary. I hope, indeed, I never shall see an army of foreign auxiliaries in Great Britain; we do not want it. If our people are united; if they are attached to the King, and place a confidence in his government, we have an internal strength sufficient to repel any foreign invasion. With respect to Ireland, my Lords, I am not of the same opinion. If a powerful foreign army were landed in that kingdom, with arms ready to be put into the hands of the Roman Catholics, I declare freely to your Lordships, that I should heartily wish it were possible to collect twenty thousand German protestants, whether from Hesse or Brunswick, or Wolfenbottle, or even the unpopular Hanoverian, and land them in Ireland. I wish it, my Lords, because I am convinced that, whenever the case happens, we shall have no English army to spare.

‘ I have taken a wide circuit, my Lords; and trespassed, I fear, too long upon your Lordships patience. Yet I cannot conclude without endeavouring to bring home your thoughts to an object more immediately interesting to us than any I have yet considered;

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considered; I mean the internal condition of this country. We may look abroad for wealth, or triumphs, or luxury; but England, my Lords, is the main stay, the last resort of the whole empire. To this point every scheme of policy whether foreign or domestic, should ultimately refer. Have any measures been taken to satisfy, or to unite the people? Are the grievances they have so long complained of removed? or do they stand not only unredressed, but aggravated? Is the right of free election restored to the elective body? My Lords, I myself am one of the people. I esteem that security and independance, which is the original birthright of an Englishman, far beyond the privileges, however splendid, which are annexed to the peerage. I myself am by birth an English elector, and join with the freeholders of England as in a common cause. Believe me, my Lords, we mistake our real interest as much as our duty, when we separate ourselves from the mass of the people. Can it be expected that Englishmen will unite heartily in the defence of a government, by which they feel themselves insulted and oppressed? Restore them to their rights; that is the true way to make them unanimous.

It

It is not a ceremonious recommendation from the throne, that can bring back peace and harmony to a discontented people. That insipid annual opiate has been administered so long, that it has lost its effect. Something substantial, something effectual must be done.

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‘The public credit of the nation stands next in degree to the rights of the constitution; it calls loudly for the interposition of Parliament. There is a set of men, my Lords, in the city of London, who are known to live in riot and luxury, upon the plunder of the ignorant, the innocent, the helpless—upon that part of the community, which stands most in need of, and best deserves the care and protection of legislature. To me, my Lords, whether they be miserable jobbers of ‘Change-alley, or the lofty Asiatic plunderers of Leadenhall-street, they are all equally detestable. I care but little whether a man walks on foot, or is drawn by eight horses or six horses; if his luxury be supported by the plunder of his country, I despise and detest him. My Lords, while I had the honour of serving his Majesty, I never ven-

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tured to look at the Treasury but at a distance; it is a business I am unfit for, and to which I never could have submitted. The little I know of it has not served to raise my opinion of what is vulgarly called the *monied interest*; I mean that blood-sucker, that muckworm, which calls itself the friend of government—that pretends to serve this or that administration, and may be purchased, on the same terms, by any administration—that advances money to government, and takes special care of its own emoluments. Under this description I include the whole race of commissaries, jobbers, contractors, clothiers, and remitters. Yet I do not deny that, even with these creatures some management may be necessary. I hope my Lords, that nothing I have said will be understood to extend to the honest, industrious tradesman, who holds the middle rank, and has given repeated proofs, that he prefers law and liberty to gold. I love that class of men. Much less would I be thought to reflect upon the fair merchant, whose liberal commerce is the prime source of national wealth. I esteem his occupation, and respect his character.

‘My

* My Lords, if the general representation, which I have had the honour to lay before you of the situation of public affairs, has, in any measure, engaged your attention; your Lordships, I am sure, will agree with me, that the season calls for more than common prudence and vigour in the direction of our Councils. The difficulty of the crisis demands a wise, a firm and a popular administration. The dishonourable traffic of places has engaged us too long. Upon this subject, my Lords, I speak without interest or enmity. I have no personal objection to any of the King's servants. I shall never be minister; certainly not without full power to cut away all the rotten branches of Government. Yet, unconcerned as I truly am for myself, I cannot avoid seeing some capital errors in the distribution of the royal favour. There are men, my Lords, who, if their own services were forgotten, ought to have an hereditary merit with the House of Hanover; whose ancestors stood forth in the day of trouble, opposed their persons and fortunes to treachery and rebellion, and secured to his Majesty's family this splendid power of rewarding. There are other men, my Lords; (*looking sternly at Lord Mansfield*)

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who,

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who, to speak tenderly of them, were not quite so forward in the demonstrations of their zeal to the reigning family; there was another cause, my Lords, and a partiality to it, which some persons had not, at all times, discretion enough to conceal. I know I shall be accused of attempting to revive distinctions. My Lords, if it were possible, I would abolish all distinctions. I would not wish the favours of the Crown to flow invulnerable in one channel. But there are some distinctions, which are inherent in the nature of things. There is a distinction between right and wrong,—between Whig and Tory.

‘When I speak of an administration, such as the necessity of the season calls for, my views are large and comprehensive.—It must be popular, that it may begin with reputation.—It must be strong within itself, that it may proceed with vigour and decision. An administration, formed upon an exclusive system of family connexions, or private friendships, cannot, I am convinced, be long supported in this country. Yet, my Lords, no man respects, or values more than I do, that honourable connection, which arises from

from a disinterested concurrence in opinion upon public measures, or from the sacred bond of private friendship and esteem. What I mean is, that no single man's private friendships, or connexions, however extensive, are sufficient of themselves, either to form or overturn an administration.—With respect to the ministry I believe, they have fewer rivals than they imagine. No prudent man will covet a situation so beset with difficulty and danger.

‘I shall trouble your Lordships with but a few words more. His Majesty tells us in his speech, that he will call upon us for our advice, if it should be necessary in the farther progress of this affair.—It is not easy to say whether or no the ministry are serious in this declaration; nor what is meant by the *progress* of an affair, which rests upon one fixed point. Hitherto we have not been called upon.—But though we are not consulted, it is our right and duty as the King's great, hereditary Council, to offer him our advice.—The papers, mentioned in the noble Duke's motion, will enable us to form a just and accurate opinion of the conduct of his Majesty's servants, though not of the

actual state of their honourable negotiations. The ministry too, seem to want advice upon some points, in which their own safety is immediately concerned. They are now balancing between a war which they ought to have foreseen, but for which they have made no provision, and an ignominious compromise.—Let me warn them of their danger.—If they are forced into a war, they stand it at the hazard of their heads. If, by an ignominious compromise, they should stain the honour of the crown, or sacrifice the rights of the people, let them look to the consequences and consider whether they will be able to walk the streets in safety.'

The motion was negatived by the previous question.

There are many interesting Facts in the negotiation concerning Falkland's Islands, which not being related in the papers laid before Parliament, nor to be found in the public accounts of this transaction, it is presumed, they may, without impropriety, be given in this place. The dates of the public facts, the reader will find in the note*.

The

* On the 20th of February, 1770, two Spanish frigates arrived at Port Egmont; and, in the name of the King of Spain, ordered all

The negotiation began on the 12th day of September, 1770. On that day the British

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all our people to evacuate the island. But Captain Hunt, who was the English commanding officer there, refused to obey; upon which the Spaniards took possession of the island in the name of his Catholic Majesty, and gave the English notice, in form, to quit the same in six months.

On the 6th of March, Captain Hunt sailed for England, leaving Captain Fermor at Falkland's Island. He thought it the most advisable to bring intelligence of the above transaction to the Ministry at home; and, at the same time, leave a force at the island, to watch the motions of the Spaniards.

On the 30th of May, 1770, Captain Hunt arrived at Plymouth, and immediately set out for London, and acquainted the Lords of the Admiralty with every particular at Falkland's Islands. The King having expressed a desire to see his journal, it was carried to his Majesty by Sir Edward Hawke. Some account of this affair having got into the public prints, the Ministry immediately contradicted it in the strongest terms. Their writers asserted, that the Spanish frigates touched at Port-Egmont *only* to get fresh water; that the officers did not even go ashore, &c. (See all the London newspapers of June 9, 1770.) In about six weeks after the arrival of Captain Hunt, Prince Masserano, the Spanish Minister in London, acquainted Lord Weymouth, in a conference, that by that time the forces of his Catholic Majesty were certainly in possession of Falkland's Islands. Still no notice was taken.

The affair was kept secret until the 9th of September, when advice arrived from Spain, that Falkland's Islands were actually taken by the Spaniards. The same courier brought advice of the galleons being arrived at Cadiz.

On the 13th of September, the Admiralty ordered sixteen guardships to be got ready. This was the first alarm. The stocks fell considerably. More guardships were ordered, and

tish Ministry sent their first memorial to the Court of Madrid. The Spanish Minister gave a short answer, that as the King of Great Britain had no Minister at Madrid, the King of Spain would send his answer to Prince *Masserano*, his Minister at London §.

press warrants were issued. A few knew the cause, but the public were kept ignorant. Lord Holland, Lord Hertford, and several other ministerial lords, and their friends, sold large sums out of the funds. The Duke of Bedford's party were for preserving the peace at any rate; and Lord Rochford being of a different opinion, they tried to remove him. The King refused to comply with their wishes.

A *bon mot* at this time deserves to be noted. Lord Hertford asked Lord Rochford, at Court, *Well, my Lord, what news—peace or war?* Lord Rochford answered, *They are at seventy-nine, seven-eighths, my Lord.*

[During the negotiation between Mr. Pitt and Mr. Bussy, in the year 1761, it was discovered that Mr. S——, one of the clerks in the Secretary of State's office, GAMBLER in the public funds, upon which he was instantly discharged.]

On the 22d of September, the Favourite frigate, Captain Fennor, arrived at Portsmouth, from Falkland's Islands, with the remainder of our people; the Spaniards having taken possession of the Islands on the 24th of June, 1770, with a superior force.

§ Upon Sir James Gray leaving Madrid in 1768, Mr. George Pitt, now Lord Rivers, was appointed his successor; but he never went: and the Secretary of the Embassy, Mr. Harris, now Lord Malmesbury, whom Sir James Gray left at Madrid, was the only representative of the British Sovereign at that Court. Though at that time a young man, he conducted this negotiation, as far as he was concerned in it, with uncommon ability, and a very becoming spirit.

It is necessary to observe, for the reader's information, that the system of the British Court, since the accession of the present King, has been to maintain *two* Cabinets—one *official*, the other *efficient*. The *official* Cabinet, consisting of the official Ministers of the several departments of the State, carried on the negotiation with the Court of Madrid. The *efficient* Cabinet, consisting of persons of lower rank, such as are commonly known by the denomination of *second-rate-men*, but who were honoured with the full and unlimited confidence of the Closet, carried on at the same time a counter-negotiation with the French Court,

At the beginning of the negotiation, there was a disposition in both these Cabinets, to resent the insult of the Spanish Court; but after the return of the *Princess of Wales* from the Continent, which was in the month of October, the tone of the *efficient* Cabinet was changed; and they more than once, opposed with success, the official Ministers. At length, on the fifteenth day of December, 1770, Lord *Weymouth*, who was Secretary of State for foreign affairs, being wearied with delay and evasion, proposed

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posed in Council to recall Mr. *Harris* from Madrid. His Lordship followed the example of Lord *Chatham*, who, in 1761, proposed to recall Lord *Bristol* from the same Court. Lord *Weymouth's* proposition was rejected; upon which he immediately resigned. Lord *Rochford* succeeded to Lord *Weymouth's* department; and adopting Lord *Weymouth's* spirit, he adopted his Lordship's proposition also; for at a Cabinet Council, held on the twenty-first, the proposition to recall Mr. *Harris* was agreed to. Whatever happened between the fifteenth and the twenty-first, to occasion this change of opinion in the majority of the Cabinet, is not exactly known; but it was said, that Prince *Masserano* had sent a letter to Lord *Rochford*, written in such strong terms, as to induce his Lordship to menace the Cabinet with another resignation, if the proposition was not agreed to.

On the twenty-second, the counter negotiation of the efficient Council, began to emerge from its dark chamber. The confidential Minister of the closet, held a conference with M. *Francois*, Secretary to the Embassy of France at the Court of London,
upon

upon the subject of terms of accommodation with Spain. This secret negotiation was unknown to the French Minister, M. le Duc de *Choiseul*; who had entered fully into the designs of Spain, and had firmly resolved to support that power in her intended war with Great Britain. At this time, there was a strong party in the French Court against *Choiseul*, consisting of Madame *Barre*, the Princes of the Blood, the Prince de *Soubize*, and of other great persons; who had, for several months past, anxiously and eagerly wished to procure the dismissal of the Minister; but hitherto he had maintained his interest with the King, notwithstanding all their efforts against him. The King was now advanced beyond the climacteric of life, and was affectionately attached to the season of peace: because it afforded him more opportunity to indulge in his favourite pleasures, than the period of war. For this reason M. *Choiseul* had not acquainted the King with his design of co-operating with Spain; by which he had flattered himself, that he should obliterate the disgraces of the late war. The design was discovered, or rather made known to Madame *Barre*; who immediately prejudiced the King so strongly against

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against the project of his Minister, that he yielded to her importunities; and dismissed him from all his employments*. And, at the

Resigna-
tion of Ld.
Hawke.

* At the end of the year 1770, Lord *Hawke* quitted the Admiralty. The following paper, which is taken from the public prints of that time, seems to explain this resignation, and some other circumstances:

January 15, 1771.

"If Sir *Edward Hawke* had followed the advice and example of his friends, he would not have been reduced to the dishonourable necessity of quitting the direction of the English navy, at the very moment it is going to be employed against the foreign enemies of England. To be left in employment, after *Chatham* and *Granby* had retired;—to continue in it, in company with *Gower* and *Hillsborough*; are circumstances too disgraceful to admit of aggravation. It is natural to sympathise in the distresses of a brave man, and to lament that a noble estate of reputation should be squandered away in debts of dishonour contracted amongst sharpers.

"His Majesty, God bless him, has now got rid of every man, whose former services, or present scruples, could be supposed to give offence to *her Royal Highness the Princess Dowager of Wales*. Her Royal Highness's scheme of Government, formed long before her husband's death, is now accomplished. She has succeeded in disuniting every party, and dissolving every connexion; and, by the mere influence of the Crown, has formed an administration, such as it is, out of the refuse of them all. There are two leading principles in the politics of St. James's, which will account for almost every measure of Government since the King's accession. The first is, that the prerogative is sufficient to make a lackey Prime Minister, and to maintain him in that post, without any regard to the welfare or to the opinion of the people.—The second is, that none but persons insignificant in themselves, or of tainted reputation,

the same time, exiled him to Chanteloux.—
Several English, as well as French gentle-
men,

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reputation, should be brought into employment. Men of greater consequences and abilities, will have opinions of their own, and will not submit to the meddling, unnatural ambition of a mother, who grasps at unlimited power, at the hazard of her son's destruction. They will not suffer measures of public utility, which have been resolved upon in Council, to be checked and controuled by a secret influence in the closet. Such men consequently will never be called upon, but in cases of extreme necessity. When that ceases, they find their places no longer tenable. To answer the purposes of an ambitious woman, an Administration must be formed of more pliant materials; of men, who, having no connection with each other, no personal interest, no weight of consideration with the people, may separately depend upon the smiles of the Crown alone, for their advancement to high offices, and for their continuance in them. If such men resist the Princess Dowager's pleasure, his Majesty knows that he may dismiss them without risking any thing from their resentment. His wisdom suggests to him, that if he were to chuse his Ministers for any of those qualities, which might entitle them to public esteem, the nation might take part with them, and resent their dismissal. As it is, whenever he changes his servants, he is sure to have the people, in that instance, on his side.

“ The Princess Dowager having now carried her plan of Administration into effect, it is not to be wondered that she should be very unwilling to expose herself, and her schemes, to the uncertain events of a foreign war. She knows that a disaster abroad would not only defeat the cunning plan of female avarice and ambition, but that it might reach farther. The mothers of our Kings have heretofore been impeached; and if the precedents are not so compleat as they should be, they will admit of improvements.”

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men, and persons of high rank, visited him in his exile. He was the first exiled French Minister,

To this explanation of the prevailing *court system* of the period, it may be very proper to add a short account of another *prominent trait* in the character of the British government. The death of the Princess Dowager of Wales, which happened a few years afterwards, made no difference in the existence of this trait. Her political influence was only transferred.

The official ministers, of the several departments, had been chosen from the time of the accession, under the politics of Lord Bute, not upon account of any qualification of merit they possessed; but upon the condition of perfect obedience to those persons, who were honoured with the confidence of the closet. And that the condition of this obedience might be the more delicately enforced, it was the policy of the authors of this plan, and consequently the usual practice and course of business, that these *confidants* suggested the several measures which they thought proper to have pursued. Their suggestions being adopted, they were again suggested to the responsible ministers; who, in this mode of transacting public business, were assured that they were to answer only in an *official* manner; that is, each man, in, and for, his own department *only*. This was such a refinement of responsibility, as those who had framed the safe-guards of the Constitution, at the time of the Revolution, had never conceived. In this mode of executing official duty, there seemed to be a responsibility, and yet there was none; for the crown being the executive power, the measures were decided and adopted, according to the opinion of the *secret advisers*. It is scarcely possible for jealousy itself, to imagine a pandemonium more dangerous than this. In approbation of this system, and this practice, a number of persons, who were favourites at Court, and who distinguished themselves by the appellation of *King's Friends*, promulgated, in language quite unreserved, *That His Majesty was always his own minister*. The best comment upon this text is, the diminution of the British empire, in consequence of the war with America. It was to this system

Minister, who had ever been so honoured. In a free conversation with one of his English visitors, (General *John Burgoyne*) he candidly informed him of one part of his plan against Great Britain, if the war had commenced, which he intended—It was—to have landed an army in Essex; to have proceeded with the utmost rapidity to London, where they were to have burned the Bank and the Tower, particularly the first; but to have committed no other depredation whatever, and then to have returned with the same expedition. The troops were to have had no other baggage or incumbrance, than their knapsacks. His principal object was, to annihilate the Public Credit of Great Britain, which he conceived the destruction of the Bank in London, would perfectly accomplish. It must be owned the scheme is feasible, and, perhaps not impracticable. There are always vessels enough at Calais and Dunkirk for such an expedition; and the vicinity of the garrisoned towns facilitates the assembling of an army, without creating an alarm. The anecdote

system that Lord Chatham alluded, in his speech on the second day of March, 1770, inserted in chapter 37.

may

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may serve to put future ministers on their guard; for, at that time, we had no force in any situation, to impede the operation, had it been attempted.

On the twenty-seventh day of December, 1770, the King of Spain held a grand Council; the result of which was, nothing more than a repetition, in different words, of the ultimatum which Lord *Weymouth* had rejected. This result was sent to Paris, to be first communicated to M. de *Choiseul*, and then to be forwarded to London; but that Minister being dismissed, the dispatches came into the King's own hands, on the second day of January 1771. The King read, and retained the dispatches; and immediately sent advice to the Catholic King, that he had been totally ignorant of the correspondence, and design of his Minister; and that he was resolved not to enter into the war: at the same time, offering his mediation in the preservation of peace. The Catholic King in his answer, put himself entirely into the possession of the King of France—he laid no restraint on his brother King, “but to preserve his honour”—he referred the whole case to him. Information of all these

these circumstances was regularly sent to *M. Francois* at London. He, and not the Ambassador, was made the Confident. But, in consequence of the Catholic King's reference to the King of France, full powers to treat, were sent to the Count de *Guines* the French Minister at London, with an assurance, that further powers *would be sent* to Prince *Masserano*. These dispatches arrived in London on the fourteenth day of January 1771. The Spanish Ambassador, however, refused to concur in any negotiation, declaring his reason to be, that as Mr. *Harris* was recalled, he could not negotiate upon any terms; expecting that his own recall would be the immediate consequence. Five messengers were then sent to Mr. *Harris*, by different ways, to order him back to Madrid*.

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While

* This explains Lord *Rochford's* letter to Mr. *Harris*, which otherwise appears inexplicable.

St. James's, January 18, 1771,

S I R,

THE KING having reason, from the information he has received, to believe that Prince de *Masserano* has orders to make fresh propositions of satisfaction for the injury done to his Majesty at Falkland's Islands, I am to signify to you his Majesty's pleasure that you return to the Court of Madrid, in order that you may be ready

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While Lord *Rochford* was negotiating with Prince *Masserano*, Mr. *Stuart Mackenzie* was negotiating with Mons. *François*. At length, about an hour before the meeting of Parliament, on the twenty-second of January 1771, a declaration was signed by the Spanish Ambassador, under French orders and a French indemnification, for the restitution of Falkland's Islands to his Britannic Majesty ; but the important condition, upon which this declaration was obtained, was not mentioned in the declaration. This condition was, That the British forces should evacuate Falkland's Islands as soon as convenient after they were put in possession of Port and Fort Egmont. And the British Ministry engaged, as a pledge of their fin-

ready to hear any thing, which the Ministers of his Catholic Majesty may have in charge to say to you, on the same subject, and to carry on the usual intercourse between the two Courts, in case the above-mentioned propositions should prove satisfactory, and *as in the present circumstances your appearance at Madrid is very material, it is his Majesty's pleasure, that you should not lose any time in your journey, on account of private affairs or inconvenience; and that you should remain there till his Majesty shall think proper to fill your place by a Minister of higher character.*

I am, &c.

ROCHFORD.

cerity

terity to keep that promise, that they would be the first to disarm*.

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Two days after the Spanish Ambassador had signed the declaration, he received orders of recall; but his fate was like that of Mr. *Harris*, in a short time afterwards he received orders to remain.

During the month of February 1771, the Spanish Minister at Madrid, hinted to Mr. *Harris*, the intention of the Spanish Court, to require of the British Ministry, *a perfection of engagements, as they were mutually understood*. Mr. *Harris's* dispatch, containing this hint, was received by the Ministry on the fourth of March. Three days afterwards, a Spanish messenger arrived, with orders to Prince *Masserano*, to make a positive demand of the cession of Falkland's Islands, to the King of Spain. The

* These facts are confirmed by Count de *Guines*, in his memorial against Messieurs *Torr*, *Roger* and *Depelch*, who had charged him with *gambling* in the English funds.

Colonel *Barre* declared in the House of Commons, that Monsieur *Francois* realized upwards of half a million sterling, by *gambling* in the English funds, during the period of this negotiation.

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Spanish Ambassador first communicated his information of these orders to the French Ambassador, with a view of knowing if he would concur with him in making the demand. On the fourteenth they held a conference with Lord *Rochford* on the subject. His Lordship's answer was consonant to the spirit he had uniformly shewn. In consequence of this answer, messengers were sent to Paris and Madrid. The reply from France was civil, but mentioned the Family Compact. The answer from Spain did not reach London till the twentieth of April.—In the mean time, the Ministers held several conferences with Mr. *Stuart Mackenzie*—The result of the whole was, the English set the example to disarm; and Falkland's Islands were totally evacuated and abandoned in a short time afterwards; and have ever since been in the possession of the Spaniards.—The British armament cost the nation between three and four millions of money, besides the expence and inconvenience to individuals.

Double
Cabinet.

It is impossible to quit this subject, without offering an observation upon the system of maintaining a **DOUBLE CABINET** at this time

time in the British Court ; equally notorious, unconstitutional, disgraceful, and injurious, as well to the honour of the Crown, as to the interest of the country.

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No person will hesitate to say, that one of these cabinets was always under a *particular influence*. The whole series of this chapter, as well as the long note in it, concerning the resignation of Lord *Hawke*, and the subsequent explanation of the *Court-System* in the same note, indisputably announce, that there was established in the British Court, a system of government, that can be explained only by the master-key of *secret influence*. And when we look over the names of those, who have risen, in a few years, from situations of indigence to those of affluence and the peerage, (the *commis* of Lord *Bute* for example, as well as others) we are not to wonder at circumstances, which, *prima facie*, are inexplicable ; without the recollection of collateral events. Lord *Bute* gave upwards of one hundred thousands for his estate in Bedfordshire, very soon after the peace of 1763. See the extract from the essays of *Anti-Sejanus*, in a note in chapter xxii. A description

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scription more explicit would be called a libel. To this bow-string the truth of history is often sacrificed,

CHAP. XL:

Lord Chatham renews the Discussion of the Middlesex Election—Attacks Lord Mansfield's doctrine of Libels—Interruption of the Duke of Manchester—Violent disturbance made by the Court Party—The Minority secede—Motion respecting Gibraltar—The Spanish Declaration—Remarks by Lord Chatham—His Questions intended for the Judges—Lord Chatham's Speech on the Motion to rescind the Resolution concerning the Middlesex Election—Lord Chatham's Motion to address the King to dissolve the Parliament—His wish to go to America.

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XL.

Lord Chat-
ham re-
news the
discussion
of the Mid-
dlesex
Election.

ON the 28th of Nov. 1770, Lord Chatham moved, "That the capacity to be chosen a representative of the Commons in Parliament, being under known restrictions and limitations of law, an original inherent right of the subject, may be cognizable by law, and is a matter wherein the jurisdiction of the House of Commons (though unappealable as to the seat of their member)

member) is not final or conclusive." ' His Lordship was very dispassionate, clear, and strong; enlarging on all the points of the Middlesex election. He urged the necessity of dissolving the Parliament, as a measure that would give universal satisfaction. That as to the impropriety of the two Houses of Parliament quarrelling, it would be of no worse consequence than in 1704, and it is a point that ought to be settled: the liberty of the subject, the right of election, were invaded by an arbitrary vote of the other House, which, though only one branch of the legislature, had assumed the power of the whole. The people neither had, nor could have any confidence in a House of Commons which had committed so flagrant a violation of their dearest right. The present House Commons were become odious in the eye of the present age, and their memory would be detested by posterity. Their having substituted Col. *Luttrell* for Mr. *Wilkes*, he insisted, demanded the severest punishment—required a dissolution.

' Towards the end of his speech he made a digression, to introduce another grievance, which, he said, he was informed prevailed in

He attacks
Ld. Mans-
field's doc-
trine of
Libels.

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in the courts of law, respecting juries in the case of libels, and the judgment of the Court which followed. He conceived the direction of the Judge, not formerly, but lately given to juries, to be dangerous and unconstitutional, and the judgment of the court, in many cases, to have been cruel and vindictive. The matter of libel—of public libel—was generally a *political* matter; and the question, whether a paper was a libel or not, was not a question of *law*, but a question of *politics*, in which Ministers indulged their passion of revenge, and the courts of law became their instruments of gratification. See Appendix T.

Lord *Mansfield*, after many compliments to Lord *Chatham*, maintained his doctrine respecting libels.

Lord *Chatham* replied, ‘ that if he conceived the noble Lord on the woollack right, his doctrine was, “ That a libel, or not a libel, was a matter of law, and was to be decided by the Bench; and the question to be left to the jury to determine, was only the fact of printing and publishing:” to which Lord *Mansfield* assented. His Lord-

ship

ship then expressed his astonishment, declaring, ' that he had never understood that to be the law of England, and expressed his wish, " that a day might be appointed for an enquiry into the conduct " of the Judges who had advanced such a doctrine." ' His Lordship observed, that in a late case, it was declared from the Bench, that if the verdict, instead of guilty of printing and publishing *only*, had been guilty of printing and publishing, without the word *only*, the officer of the court would have entered it on the record *guilty*.'

Lord *Chatham*'s observations on the courts of law, respecting libels, occasioned Lord *Mansfield* to move, that the House might be summoned on Monday the 11th of December. It was universally supposed that Lord *Mansfield* was resolved to enter fully into the subject on that day; but when the time arrived, Lord *Mansfield* only told their Lordships that he had left a paper with the clerk for their perusal. This brought up

' Lord *Chatham*, who said, that the verdict of the jury, in the case to which the paper alluded, was " guilty of printing and publishing

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publishing *only*;" that two motions had been made in the court upon this verdict; one, in arrest of judgment, by the defendant, grounded upon the ambiguity of the verdict—the other by the counsel of the crown, to enter up the verdict according to the legal import. On both motions a rule to shew cause was granted, and in a short time after the matter was argued before the Court. The noble Judge, when he delivered the opinion of the Court upon the verdict, went regularly through the whole of the proceedings at *Nisi Prius*, as well the evidence that had been given as his own charge to the jury. This proceeding would have been very proper, had a motion been made from either side for a new trial; because either a verdict given contrary to *evidence*, or an improper charge by the Judge at *Nisi Prius*, is held to be a sufficient ground for granting a new trial: but when a motion is made in arrest of judgment, or for establishing the verdict by entering it up according to the *legal* import of the words, it must be on the ground of something appearing *on the record*; and the Court, in considering whether the verdict shall be established or not, are so confined to the record, that they cannot take

take notice of any thing that does not appear on the face of it; to make use of the legal phrase, *they cannot travel out of the record*. The noble Judge did travel out of the record. I affirm, therefore, that his conduct was **IRREGULAR, EXTRAJUDICIAL and UNPRECEDENTED**; and I am sure there is not a lawyer in England that will contradict me. His real motive for doing what he knew to be wrong, was, that he might have an opportunity of telling the public *extrajudicially*, that the other three Judges agreed with him in the doctrine laid down in the charge;

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1779.

Lord *Camden* asked, if Lord *Mansfield* meant to have his paper entered upon the Journals. To which Lord *Mansfield* answered, *No! No! only to leave it with the Clerk.*

After this business was over, the Duke of *Manchester* rose. His Grace began with describing the state of the nation, and particularly the state of Gibraltar and Minorca; the former of which, he said, was utterly defenceless—Here his Grace was interrupted by Lord *Gower*, who desired that the House might

Interrup-
tion of the
Duke of
Manches-
ter.

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might be cleared of all but those who had a right to sit there. There was a standing order of the House, he said, that none but Peers should come there.

Violent
disturb-
ance made
by the
Court party

The standing order of the House was then read, when the Duke of *Richmond* got up, and defended what the Duke of *Manchester* had said, observing, that though it was very true any Lord had a right to order the House to be cleared, yet that their doing it now would alarm the people, who would immediately suppose they were *afraid* their proceedings should be known. Immediately a violent outcry arose, and all became noise, clamour, and confusion. *Clear the House!* *Clear the House!* was echoed from side to side. The Lords *Denbigh* and *Marchmont* particularly distinguished themselves in pushing out the Members of the House of Commons, as well as strangers. The Duke of *Richmond* attempted to speak, but his voice was drowned in the clamour. Lord *Chatham*, shocked at the indecency of such a proceeding, rose, hoping that his age, his services, his character, would obtain attention; but these were not the charms to soothe that great assembly. Hands, voices, legs, were

were all employed to prevent the noble Lord (whose feat in that House was the reward of having saved the nation) from being heard at this moment.

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Lord *Chatham* continued speaking, without being heard, for some time. He sent the Duke of *Richmond* to the Speaker (Lord *Mansfield*) to acquaint his Lordship that he wanted to speak to the construction of the standing Order. But he could not be heard. The taste was evidently for Lord *Denbigh's* and Lord *Marchmont's* eloquence. Lord *Chatham*, at length wearied out with insult, declared, that if he was not to have the privilege of a Lord of Parliament, and to be allowed the exercise of free debate, it was needless and idle for him to attend Parliament. He left the House; and about eighteen Lords had dignity enough to feel their own disgrace in the insult offered to him, and left the House to its own madness.

Minority
secede.

No sooner were these noble persons retired, than, as if the design of the Ministry had been to tell the world, that the presence of those noble Lords was the only circumstance that prevented their committing the
most

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most violent absurdities, they lost all discretion, and insisted on the Members of the House of Commons being turned out in the crowd. Some of the Members of the House of Commons represented that they were in the act of their duty, attending with a Bill; they were, however, forced to withdraw till the message was delivered, and they then attended their Bill in a pretty large body. They had no sooner delivered the Bill, than the outcry began again; time was not given them to see whether they would return of their own accord, but they were, in an unworthy, unprecedented manner, literally driven out of the House.

Next day (December 12) the Duke of *Manchester* made the motion he was prevented making the day before, and which was, to desire his Majesty would be pleased to send a proper force to Gibraltar, and the islands of Minorca and Jamaica, for their necessary and sufficient defence at this time. He shewed the naked state of all our possessions abroad, and our defenceless state at home; and all this was owing, he said, to the incapacity and pusillanimity of the King's Ministers, who were abhorred at home and despised abroad.

Lord

‘ Lord *Chatham* confirmed this melancholy state of our affairs; and added, that he had received intelligence of *a plan being formed to attack Gibraltar.*’

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Lord
Chatham.

Lord *Sandwich* said, there might be such a plan; and what then? Gibraltar, he said, was open to the sea, and we could retake it, if we pleased; though, upon the whole, he did not think it was of much importance.

The motion was negatived.

On the 25th day of January, 1771, the Spanish Ambassador's Declaration concerning Falkland's Islands being laid before Parliament, the Duke of *Manchester* moved, that the papers respecting the negotiation be also laid before the House.

Motion
respecting
the Spanish
Declaration,
1771.

Lord *Rochford* moved an amendment, restraining the motion to the subject of Falkland Islands. Lord *Sandwich* moved another amendment, which, the Duke of *Richmond* said, narrowed the motion. Lord *Sandwich* said, his amendment, instead of narrowing, enlarged the motion; upon which,

Lord

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Lord
Chatham's
remarks.

‘ Lord *Chatham* remarked, that this generosity, in giving more than was asked, was very suspicious; that if Administration had no objection to what was asked, why not give it without making any alteration in the motion? People would suspect that something was meant to be concealed. He said he would not go into the matter of the Declaration; but that, upon the face of it, it appeared an *ignominious compromise*. It was no satisfaction—no reparation. The *right* was not secured, and even the *restitution* was incomplete; that Port Egmont alone was restored, not Falkland’s Islands.’

The amendments being negatived, the Duke of *Richmond* moved, That the letters which passed between the British and French Ministers on this subject be laid before the House.

Lord *Rochford* said he knew of none.

Lord *Chatham* supported the Duke of *Richmond*’s motion. ‘ He said, their Lordships ought never to take the word of a minister; that the refusing this motion shewed that some *transaction* with France had
passed

passed, perhaps not *papers* or *memorials*.
 As Lord *Rochford* said none had passed, he
 believed him; but that France had *interfered*,
 he said, he knew to be a fact that could not
 be denied.

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This motion was negatived.

On the 5th day of February, Lord *Chat-*
ham moved, that the following questions Questions
to the
Judges.
 be put to the Judges:

“ 1st. Whether, in consideration of law,
 the Imperial Crown of this realm can hold
 any territories, or possessions, thereunto be-
 longing, otherwise than in sovereignty.

“ 2dly. Whether the Declaration, or in-
 strument for the restitution of the port and
 fort called Egmont, to be made by the
 Catholic King to his Majesty, under a reser-
 vation of disputed right of sovereignty ex-
 pressed in the Declaration or instrument
 stipulating such restitution, can be accepted
 or carried into execution, without derogat-
 ing from the maxim of law before referred to,
 touching the inherent and essential dignity of
 the crown of Great Britain.”

The motion was negatived.

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On

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On the 13th day of February, Lord *Chatham* spoke against a motion for an address to the King on the Convention with Spain. But the Editor has not been informed that any notes of either of these speeches were taken.

Motion to
rescind a
resolution.

On the 30th day of April, 1771, the Duke of *Richmond* made a motion to rescind the resolution of the House respecting the *Middlesex Election*.

Lord
Chatham.

‘ Lord *Chatham* supported this motion in the strongest and warmest terms. He entered largely into the consideration of the state of the country; the depraved system of government, which had, in a very few years, reduced us from a most flourishing to a most miserable condition. He went through the whole proceedings of the House of Commons in the late business of the Printers, and arraigned every part of it in the strongest terms. He warmly defended the City Magistrates in the conscientious discharge of their duty; that the House, in committing them to the Tower, without hearing their defence upon the point of privilege, had been guilty of a gross and palpable act of tyranny;

that

that they had heard the prostituted electors of Shoreham in defence of an agreement to sell a borough by auction; and had refused to hear the Lord Mayor of London in defence of the laws of England; that their expunging, by force, the entry of a recognizance, was the act of a *mob*, not of a Parliament; that their daring to assume a power of stopping all prosecutions by their vote, struck at once at the whole system of the laws: that it was solely to the measures of government, equally violent and absurd, that Mr. *Wilkes* owed all his importance; that the King's Ministers, supported by the slavish concurrence of the House of Commons, had made him a person of the greatest consequence in the kingdom; that they had made him an Alderman of the city of London, and Representative of the county of Middlesex; and now they will make him Sheriff, and, in due course, Lord Mayor of London; that the proceedings of the House of Commons, in regard to this gentleman made the very name of Parliament ridiculous; that after repeated resolutions, by which they had declared him amenable to their jurisdiction, they had shamefully abandoned the point at last; and, in the face of the world, ac-

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knowledgeed him to be their master. That there remained but one possible remedy for the disorder, with which the Government of this country was notoriously infected; that to save the name and institution of Parliaments from contempt, this House of Commons must be dissolved. This, he hoped, might restore good government on one side—good humour and tranquillity on the other; yet that this was rather a hope in him than any sanguine expectation. He feared that it might prove only a temporary and partial remedy; that to resist the enormous influence of the Crown, some stronger barriers must be erected in defence of the constitution. That formerly the inconveniencies of shortening the duration of Parliaments had great weight with him; but now it was no longer a question of convenience; the *Summa Rerum* is at stake; your whole constitution is giving way; and, therefore, with the most deliberate and solemn conviction of his understanding, he now declared himself a *Convert to Triennial Parliaments*. His Lordship concluded with desiring that the House might be summoned for next day, declaring his intention to move an Address for the dissolution

dissolution of the present Parliament.'—The motion was negatived.

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Accordingly, on Wednesday the first of May, which was next day, his Lordship moved,—“ That an humble Address be presented to his Majesty, most dutifully and earnestly beseeching his Majesty, that under the late violations of the rights of the Electors of Great Britain, in the election for Middlesex, still unredressed, and in the present conflict which has so unhappily arisen between the claims of the House of Commons on one side, and those of the people on the other, his Majesty will, in his paternal wisdom, deign to open the way to compose this alarming warfare; and that, in order to prevent the said House, and the Nation, from being involved in intemperate discussions of undefined powers, which in the extreme may endanger the constitution, and tend to shake the tranquillity of the kingdom, his Majesty will be graciously pleased to recur to the recent sense of his people, by dissolving, after the end of this session, the present Parliament, and calling with convenient dispatch, a new Parliament.’

Lord Chatham's motion for an address to the King to dissolve the Parliament.

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His wish
to go to
America.

He went through all the arguments which had been formerly used on this subject; and towards the conclusion of his speech, he said, 'that though no man prided himself more on his attachment to his native country, yet the proceedings of those people who called themselves its governors, had rendered it so disagreeable to him, that was he but ten years younger, he would spend the remainder of his days in a country (meaning America) which had already given the most brilliant proofs of its independent spirit; nor should my advanced age (continued he) even *now* prevent me, did not considerations of the last consequence (my bodily infirmities) interfere.'—The motion was negatived.

The session ended on the 8th of May, 1771.

C H A P.

C H A P. XLI.

Two interesting Anecdotes of the origin of the American War—Impositions upon the People of England—Lord Chatham's Speech against quartering Troops in America—His Speech against the Quebec Bill.

DURING the two succeeding sessions Lord Chatham did not attend Parliament. Recent experience had convinced him, that his eloquence, his sagacity, his character, were of no estimation, in an assembly, where arguments more *tangible* than words, had made so deep an impression upon the majority, that no language, no sense of honour or of danger, had power to awaken them to a just conception of their own disgrace and insignificancy.

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In the year 1774, the affairs of America brought him forward again. Nothing else could. He resolved to make every attempt he was able, to avert the destruction, which he saw was inseparably attached to the measures the Ministry were pursuing.

1774.

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Two in-
teresting
anecdotes
of the A-
merican
war.Anecdote
the first.

The History of the rise and progress of the American war, has been given in several books. But there are two Facts, respecting its origin, which seem to have escaped the observation their importance deserves.

The first is respecting the East India Company.—When the duties to be paid in America on paper, paint, and glass, were repealed, it was pretended, that the Tea duty (which had been imposed by the same Act of Parliament) was left standing, to *serve* the Company. But this was not the fact. The tax was left unrepealed to preserve the *right*, as it was called, to tax the Colonies. That was the *true* motive. The *service* of the East India Company made no part of the consideration. The tea sent to Boston was that sort called *Bohea*, which was conferring no favour on the Company, but the reverse; for that sort of tea was no burden to the Company. It was the sort called *Singlo*, which lay heavy on their hands, and of which all their warehouses were full. But the resolution was agreed to in a *private* Committee, when only *three* persons were present: Mr. *Bolton* was chairman. A matter of such importance ought to have been agitated

agitated in a full Committee, which consists of eleven. The truth is, the Bohea was more saleable than the Singlo; it was therefore, the resolution of the Cabinet to send the most saleable; presuming that the temptation to purchase being greater by the offer of good tea, than by the offer of an inferior sort, some of the Americans might be thereby induced to barter liberty for luxury, and, perhaps, a schism might be created among them. Had the question of determining the kind of tea to be sent to America, been agitated in a full Committee, it is more than probable, that the interests of the Company would have prevailed over the views of the cabinet at St. James's. When the Directors were informed of the conduct of the Committee, they explained this distinction of the tea to the Ministry, and wished to have the Singlo substituted. But the Ministry would not consent. It was again objected to, at the Minister's house. To the last application, Lord North, being perhaps wearied with representations on the subject, said—" *It was to no purpose making objections, for the — would have it so.*" These were his Lordship's words; and he added,

" *That*

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"That the — meant to try the question
with America*."

The

* The Author of *Historical Remarks on the Taxation of Free States*, formerly a respectable Member of Parliament*, written in the year 1778, relates an anecdote of English taxation, which, as the book is in few hands, it may not be improper to insert here. [The author printed only fifty copies.]

"It was told me, says the Author, by an intelligent and most respectable Member of the last Parliament (Mr. *White*, of Retford). That worthy old gentleman lived in friendship with Sir *Robert Walpole*, and I believe is the only man of that description, who never took an emolument from the *Minister*. He gave me this account of his giving up the Excise scheme. The bill, having been opposed in every stage, was ordered to be reported. The question for its being reported, was carried by a majority of sixty. The nation was in a ferment, and there had been some dangerous riots,

"On the evening before the report, Sir *Robert* summoned a meeting of the principal Members, who had supported the Bill. It was very largely attended. He reserved his own opinion to the last: But perseverance was the unanimous voice. It was said all taxes were obnoxious, and there would be an end of supplies, if mobs were to controul the Legislature in the manner of raising them. When Sir *Robert* had heard them all, he assured them, "How conscious he was of having meant well; but in the present inflamed temper of the people, the act could not be carried into execution without an armed force. That there would be an end of the liberty of England, if supplies were to be raised by the sword. If, therefore, the resolution was, to go on with the Bill, he would immediately wait upon the King and desire his Majesty's permission to resign his office; for he would not be the Minister to enforce taxes, at the expence of blood."

* For Liverpool.

"No

The other anecdote is respecting the proceedings at Boston.—The tea was consigned to the Governor's son at Boston. When the vessels with the tea arrived there, the people assembled on the wharfs in great multitudes, in order to prevent the tea being landed. Several merchants, and other persons of the first consequence in Boston, solemnly assured Captains of the vessels, that the inhabitants of the town were unanimously resolved not to suffer the tea to be landed. The Captains finding this opposition, solicited the Governor's permission to return to England; for the King's ships were stationed in such a position at the mouth of the harbour, that no vessel could escape their vigi-

"No person appearing desirous of taking that office upon himself, Sir *Robert* gave notice, that he would adjourn the report for six months: which he did the next day.

"Tyranny is known, not by the soil, but by the fruits. And the hardest slaveries have been suffered in those states, where the forms of a free constitution remain; but where a spirit of justice, liberty and virtue exists no more." p.p. 80 and 81.

And in another place, he translates these words from Aristotle*, "Tyrants, therefore, love to be served by the worst of men; they delight in servility; and their measures require an implicit obedience, to which men of liberal spirit cannot stoop."

* Polit. 1. 5 3. 120.

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lance. The Governor answered, that he could not permit them to depart, until they had obtained proper clearances. The officers of the Customs refused to grant clearances until their cargoes were landed. This legal precision was not observed at the other ports in America, where the Captains finding they could not land their cargoes of tea, were permitted to return to Europe, without breaking bulk. But Boston seems to have been the place fixed upon *to try the question*. If the Governor had assisted the Captains, the tea might have been landed without much difficulty: it might have been put into the barges of the men of war, then lying there, and being escorted by the marines, it might have been safely lodged in the King's warehouses. But the design was otherwise. The Captains were obliged to connive at the destruction of the tea, in order to obtain their clearances, to return to England. The town was afterwards punished for this act of necessity, which might have been avoided. Thus the civil war was *created*—to try the question*” And the

* Nothing can more strongly shew the fixed resolution of the Court on this point than the words of his Majesty's answers, to the

the Governor (*Hutchinson*) was afterwards rewarded with a large pension.—There were many other provocations given to the Americans, besides the Tea Act; all uniformly tending to exasperate them to resistance.

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Upon this occasion the Ministry resorted to the same methods to deceive the nation, which had been so successfully practised by their predecessors, and during the Administration of the Earl of *Bute*; viz. *Hiring a number of writers, hiring a number of newspapers, and printing an immense number of pamphlets*, which were sent free of postage and expence, to every part of the kingdom. At the same time, all those writers and printers, who presumed to arraign the conduct of Ministers, were prosecuted in the Court of King's Bench. Addresses, highly flattering to Ministers in their contest with America, were procured from every venal borough and town. By the hired pens of Dr. *S. Johnson*, Messrs. *Dalrymple*, *Macpherson*, *Stewart*, *Lind*, *Knox*, *Nauduit*, &c. and other artifices, the nation was again

Impositions upon
the people
of England

the many petitions which were presented to him, beseeching and imploring him, repeatedly, to preserve his dominions. The reader will find them in the Appendix, Z.

deluded

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deluded and duped. Upon this particular subject, to impose on the people, and reconcile them to this war of felony and suicide, Ministers had the assistance of another description of men, who were not less zealous, and, if possible, more dangerous. These were the American refugees—who were driven out of their own country, because they were traitors to it. These unceasingly practiced the most diabolical impositions, through the channels of all the ministerial newspapers; and by pamphlets, arraigning the conduct of the British officers, in the basest terms; and possessing a geographical knowledge of the country, they were enabled to give a specious appearance of veracity, to the most infamous falsehoods. It is necessary to mention these impositions, for although every material circumstance relating to this contest, has been published in some shape or other, yet it will require a nice discriminating eye, and a correct judgment, to distinguish, on many points, the true from the false, representation—so artful and plausible, sometimes is the last.

Ed. Chatham's
Speech against
quartering
Troops in
America

On the 27th day of May 1774, Lord
Chatham attended the House of Lords, on
the

the third reading of a bill for quartering soldiers in America. He said—‘My Lords, the unfavourable state of health under which I have long laboured, could not prevent me from laying before your Lordships my thoughts on the bill now upon the table, and on the American affairs in general.

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• If we take a transient view of those motives which induced the ancestors of our fellow-subjects in America to leave their native country, to encounter the innumerable difficulties of the unexplored regions of the western world, our astonishment at the present conduct of their descendants will naturally subside. There was no corner of the world into which men of their free and enterprising spirit would not fly with alacrity, rather than submit to the slavish and tyrannical principles, which prevailed at that period in their native country. And shall we wonder, my Lords, if the descendants of such illustrious characters spurn, with contempt, the hand of unconstitutional power, that would snatch from them such dear-bought privileges as they now contend for? Had the British Colonies been planted by any other kingdom than our own, the inhabitants

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bitants would have carried with them the chains of slavery, and spirit of despotism; but as they are, they ought to be remembered as great instances to instruct the world, what great exertions mankind will naturally make, when they are left to the free exercise of their own powers. And, my Lords, notwithstanding my intention to give my hearty negative to the question now before you, I cannot help condemning, in the severest manner, the late turbulent and unwarrantable conduct of the Americans in some instances, particularly in the late riots of Boston. But, my Lords, the mode which has been pursued to bring them back to a sense of their duty to their parent state, has been so diametrically opposite to the fundamental principles of sound policy, that individuals, possessed of common understanding, must be astonished at such proceedings. By blocking up the harbour of Boston, you have involved the innocent trader in the same punishment with the guilty profligates who destroyed your merchandize; and instead of making a well concerted effort to secure the real offenders, you clap a naval and military extinguisher over their harbour, and punish the crime of
a few

a few lawless depredators and their abettors, upon the whole body of the inhabitants.

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‘ My Lords, this country is little obliged to the framers and promoters of this tea-tax. The Americans had almost forgot, in their excess of gratitude for the repeal of the stamp act, any interest but that of the mother country; there seemed an emulation among the different provinces, who should be most dutiful and forward in their expressions of loyalty to their real benefactor; as you will readily perceive by the following letter from Governor *Bernard* to a noble Lord then in office.

“ The House of Representatives, (says he) from the time of opening the session to this day, has shewn a disposition to avoid all dispute with me; every thing having passed with as much good humour as I could desire. They have acted, in all things, with temper and moderation; they have avoided some subjects of dispute, and have laid a foundation for removing some causes of former altercation.

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‘ This, my Lords, was the temper of the Americans; and would have continued so, had it not been interrupted by your fruitless endeavours to tax them without their consent: but the moment they perceived your intention was renewed to tax them, under a pretence of serving the East India Company, their resentment got the ascendant of their moderation, and hurried them into actions contrary to law, which, in their cooler hours, they would have thought on with horror; for I sincerely believe, the destroying of the tea was the effect of despair.

‘ But, my Lords, from the complexion of the whole of the proceedings, I think that Administration has purposely irritated them into those late violent acts, for which they now so severely smart; purposely to be revenged on them for the victory they gained by the repeal of the stamp act; a measure to which they seemingly acquiesced, but at the bottom they were its real enemies. For what other motive could induce them to dress taxation, that father of American sedition, in the robes of an East India Director, but to break in upon that mutual peace

peace and harmony, which then so happily subsisted between them and the mother country.

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‘ My Lords, I am an old man, and would advise the noble Lords in office to adopt a more gentle mode of governing America; for the day is not far distant, when America may vie with these kingdoms, not only in arms, but in arts also. It is an established fact, that the principal towns in America are learned and polite, and understand the constitution of the empire as well as the noble Lords who are now in office; and consequently, they will have a watchful eye over their liberties, to prevent the least encroachment on their hereditary rights.

‘ This observation is so recently exemplified in an excellent pamphlet, which comes from the pen of an American gentleman, that I shall take the liberty of reading to your Lordships his thoughts on the competency of the British Parliament to tax America, which, in my opinion, puts this interesting matter in the clearest view.

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“ The High Court of Parliament (says he) is the supreme legislative power over the whole empire ; in all free states the constitution is fixed ; and as the supreme legislature derives its power and authority from the constitution, it cannot overleap the bounds of it, without destroying its own foundation. The constitution ascertains and limits both sovereignty and allegiance : and therefore his Majesty’s American subjects, who acknowledge themselves bound by the ties of allegiance, have an equitable claim to the full enjoyment of the fundamental rules of the English constitution ; and that it is an essential unalterable right in nature, ingrafted into the British constitution as a fundamental law, and ever held sacred and irrevocable by the subjects within this realm — that what a man has honestly acquired, is absolutely his own ; which he may freely give, but which cannot be taken from him without his consent.”

• This, my Lords, though no new doctrine, has always been my received and unalterable opinion, and I will carry it to my grave, *that this country had no right under heaven to tax America.* It is contrary to all
the

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the principles of justice and civil polity, which neither the exigencies of the state, nor even an acquiescence in the taxes, could justify upon any occasion whatever. Such proceedings will never meet their wished-for success; and, instead of adding to their miseries, as the bill now before you most undoubtedly does, adopt some lenient measures, which may lure them to their duty; proceed like a kind and affectionate parent over a child whom he tenderly loves; and, instead of those harsh and severe proceedings, pass an amnesty on all their youthful errors; clasp them once more in your fond and affectionate arms; and I will venture to affirm you will find them children worthy of their fire. But should their turbulence exist after your proffered terms of forgiveness, which I hope and expect this house will immediately adopt, I will be among the foremost of your Lordships to move for such measures as will effectually prevent a future relapse, and make them feel what it is to provoke a fond and forgiving parent! a parent, my Lords, whose welfare has ever been my greatest and most pleasing consolation. This declaration may seem unnecessary; but I will venture to declare, the period

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is not far distant, when she will want the assistance of her most distant friends : but should the all-disposing hand of Providence prevent me from affording her my poor assistance, my prayers shall be ever for her welfare—*Length of days be in her right hand, and in her left riches and honour; may her ways be the ways of pleasantness; and all her paths be peace!*

The bill passed.

Lord *Chatham* also attended on the seventeenth day of June 1774, on the reading of the Quebec Bill, which he likewise opposed.

His speech
against the
Quebec
Bill,

‘ He said, it would involve a large province in a thousand difficulties, and in the worst of despotism, and put the whole people under arbitrary power; that it was a most cruel, oppressive, and odious measure, tearing up justice and every good principle by the roots; that by abolishing the trial by Jury, together with the Habeas Corpus, he supposed the framers of the bill thought that mode of proceeding most satisfactory; whilst every true Englishman was ready to lay

lay down his life sooner than lose those two bulwarks of his personal security and property. The merely supposing that the Canadians would not be able to feel the good effects of law and freedom, because they had been used to arbitrary power, was an idea as ridiculous as false. He said, the bill established a despotic government in that country, to which the royal proclamation of 1763 promised the protection of the English laws. Here the noble Lord read part of the proclamation; and then entered into the power vested in the Governor and Council; the whole mode of which, he said, was tyrannical and despotic. He was particularly severe on the bad consequences that would attend the great extension of that province. The whole of the bill appeared to him to be destructive of that liberty, which ought to be the ground-work of every constitution. Ten thousand objections, he was confident, might be made to the bill; but the extinction of the mode of trial above mentioned was a very alarming circumstance, and he would pronounce him a bold man who proposed such a plan.

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‘ When his Lordship came to the religious part of the bill, he directed his discourse to the Bench of Bishops, telling them, that as by the bill the Catholic religion was made the established religion of that vast continent, it was impossible they could be silent on the occasion. He called the bill a child of inordinate power, and desired and asked if any of that Reverend Bench would hold it out for baptism. He touched again on the unlimited power of the Governor in appointing all the members, and who might consist of Roman Catholics only.

‘ He also took notice of an amendment which had been made in the House of Commons, which was a new clause, repealing so much of the Act of Reformation of the 1st of Elizabeth as relates to the Oath of Supremacy, and substituting a common oath of allegiance in its place. This act of Elizabeth, he said, had always been looked upon as one that the legislature had no more right to repeal, than the Great Charter, or the Bill of Rights’—But in this he was greatly mistaken; for though several of the Reverend Bench were present, not one of them

them made the smallest objection to the clause—they all divided with the Ministry.

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The Duke of *Gloucester* divided with Lord *Chatham* against the Bill, but they were in a minority.

The session ended on the twenty-second day of June, and on the last day of September the Parliament was suddenly dissolved*.

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Lord Chatham's motion to withdraw the Troops from Boston—His Bill for quieting the troubles in America—His Bill rejected—Receives the Thanks of the City of London for his Bill.

ON the 29th day of November, 1774, the new Parliament met. On the 20th day of January, 1775, Lord *Dartmouth*, then Secretary of State, &c. produced the official American papers.

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* During the summer, Lord *Mansfield* went to Paris. At this time the Court of Great Britain may be said to have had three ambassadors at the Court of France—Lord *Stormont*, the official; Mr. *Forth*, the confidential; and Lord *Mansfield*, the efficient.

The

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The Earl of *Chatham*, after strongly condemning the dilatoriness of Administration, &c. proceeded as follows :

Lord
Chatham's
motion to
withdraw
the troops
from Bol-
ton.

—— * But as I have not the honour of access to his Majesty, I will endeavour to transmit to him, through the Constitutional channel of this House, my ideas of America, to rescue him from the misadvice of his present Ministers. I congratulate your Lordships, that the business is *at last* entered upon by the noble Lord's † laying the papers, before you, As I suppose your Lordships too well apprized of their contents, I hope I am not premature, in submitting to you my present motion ;

“ That an humble address be presented to his Majesty, humbly to desire and beseech his Majesty, that in order to open the way towards a happy settlement of the dangerous troubles in America, by beginning to allay ferments and soften animosities there; and above all, for preventing in the mean time any sud-

* This speech, and that of the 18th of November, 1777, were taken by the same gentleman; and it has been affirmed by several persons who heard the noble Lord on both days, that they contain very strong and peculiar marks of accuracy.

† Lord *Dartmouth*.

den

den and fatal catastrophe at Boston, now suffering under the daily irritation of an army before our eyes, posted in their town; it may graciously please his Majesty that immediate orders be dispatched to General *Gage*, for removing his Majesty's forces from the town of Boston, as soon as the rigour of the season, and other circumstances indispensable to the safety and accommodation of the said troops, may render the same practicable."

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‘ I wish, my Lords, not to lose a day in this urgent, pressing crisis; an hour now lost in allaying ferments in America, may produce years of calamity: for my own part, I will not desert, for a moment, the conduct of this weighty business, from the first to the last; unless nailed to my bed by the extremity of sickness, I will give it unremitted attention; I will knock at the door of this sleeping and confounded Ministry, and will rouse them to a sense of their important danger.

‘ When I state the importance of the Colonies to this country, and the magnitude of danger hanging over this country, from the present plan of mis-administration practised

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1775.

tised against them, I desire not to be understood to argue for a reciprocity of indulgence between England and America, I contend not for indulgence, but justice to America; and I shall ever contend, that the Americans justly owe obedience to us in a limited degree—they owe obedience to our ordinances of trade and navigation; but let the line be skilfully drawn between the objects of those ordinances, and their private, internal property; let the sacredness of their property remain inviolate; let it be taxable only by their own consent, given in their provincial assemblies, *else it will cease to be property.* As to the metaphysical refinements, attempting to shew that the Americans are equally free from obedience and commercial restraints, as from taxation for revenue, as being unrepresented here, I pronounce them futile, frivolous, and groundless.

¶ When I urge this measure of recalling the troops from Boston, I urge it on this pressing principle, that it is necessarily preparatory to the restoration of your peace, and the establishment of your prosperity. It will then appear that you are disposed to treat amicably and equitably; and to consider,

der, revise, and repeal, if it should be found necessary, as I affirm it will, those violent acts and declarations which have disseminated confusion throughout your empire.

‘ Resistance to your acts was necessary as it was just; and your vain declarations of the omnipotence of Parliament, and your imperious doctrines of the necessity of submission, will be found equally impotent to convince, or to enslave your fellow-subjects in America, who feel that tyranny, whether *ambitioned* by an individual part of the legislature, or the * bodies who compose it, is equally intolerable to British subjects.

‘ The means of enforcing this thralldom are found to be as ridiculous and weak in practice, as they are unjust in principle. In-

* A favourite idea prevailed, and was often urged in argument by Administration, “ that absolute passive obedience is due to all “ acts of the legislature, which must not *in any case whatever*, be “ questioned, much less resisted by the people.” Mr. *Locke* thought otherwise. But, in truth, it is a point rather of *practical* policy. If, however, the postulatam were admitted in *speculation*, the inference will not reach from Westminster to Boston. It never was proved, that our *Lords Spiritual* and *Temporal* had *privilege* in America; and that our Knights, Citizens, and Burgesses, were *their* Representatives.

deed

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deed I cannot but feel the most anxious sensibility for the situation of General *Gage*, and the troops under his command; thinking him, as I do, a man of humanity and understanding; and entertaining as I ever will, the highest respect, the warmest love, for the British troops. Their situation is truly unworthy; penn'd up—pining in inglorious inactivity. They are an army of impotence. You may call them an army of safety and of guard; but they are in truth an army of impotence and contempt: and, to make the folly equal to the disgrace, they are an army of irritation and vexation.

‘ But I find a report *creeping* abroad, that Ministers censure General *Gage*’s inactivity: let *them* censure him—it becomes them—it becomes their *justice* and their *honour*.—I mean not to censure his inactivity; it is a prudent and necessary inaction: but it is a miserable condition, where disgrace is prudence, and where it is necessary to be contemptible. This tameness, however contemptible, cannot be censured; for the first drop of blood shed in civil and unnatural war might be *immedicabile vulnus*.

‘ I therefore

‘I therefore urge and conjure your Lordships, immediately to adopt this conciliating measure. I will pledge myself for its immediately producing conciliatory effects, by its being thus well-timed: but if you delay till your vain hope shall be accomplished, of triumphantly dictating reconciliation, you delay for ever. But, admitting that this hope, which in truth is desperate, should be accomplished, what do you gain by the imposition of your victorious amity?—you will be untrusted and unthanked. Adopt, then, the grace, while you have the opportunity of reconcilment; or at least prepare the way.—Allay the ferment prevailing in America, by removing the obnoxious hostile cause—obnoxious and unserviceable; for their merit can be only inaction: “*Non dimicare et vincere*,”—their victory can never be by exertions. Their force would be most disproportionately exerted against a brave, generous, and united people, with arms in their hands, and courage in their hearts:—three millions of people, the genuine descendants of a valiant and pious ancestry, driven to those deserts by the narrow maxims of a superstitious tyranny.—And is the spirit of persecution never to be appeased?

Are

Are the brave sons of those brave forefathers to inherit their sufferings, as they have inherited their virtues? Are they to sustain the infliction of the most oppressive and unexampled severity, beyond the accounts of history, or description of poetry: "*Rhadamanthus habet durissima regna, castigat que, AUDIT QUE.*" So says the wisest poet, and perhaps the wisest statesman and politician.—But our Ministers say, *the Americans must not be heard.* They have been condemned *unheard.*—The indiscriminate hand of vengeance has lumped together innocent and guilty; with all the formalities of hostility, has blocked up the town* and reduced to beggary and famine thirty thousand inhabitants.

‘But his Majesty is advised, that the union in America cannot last. Ministers have more eyes than I, and should have more ears; but with all the information I have been able to procure, I can pronounce it—an union, solid, permanent, and effectual. Ministers may satisfy themselves, and delude the public, with the report of what they call commercial bodies in America. They are *not* commercial; they are your packers and

* Boston.

factors:

factors: they live upon nothing—for I call
 commission nothing. I mean the ministerial
authority for this American intelligence; the
 runners for government, who are paid for
 their intelligence. But these are not the
 men, nor this the influence, to be considered
 in America, when we estimate the firmness
 of their union. Even to extend the ques-
 tion, and to take in the really mercantile cir-
 cle, will be totally inadequate to the confi-
 deration. Trade indeed increases the wealth
 and glory of a country; but its real strength
 and stamina are to be looked for among the
 cultivators of the land: in their simplicity
 of life is found the simpleness of virtue—the
 integrity and courage of freedom. These
 true genuine sons of the earth are invincible:
 and they surround and hem in the mercan-
 tile bodies; even if these bodies, which sup-
 position I totally disclaim, could be supposed
 disaffected to the cause of liberty. Of this
 general spirit existing in the British nation;
 (for so I wish to distinguish the real and ge-
 nuine Americans from the pseudo-traders I
 have described)—of this spirit of independ-
 ance*, animating, the *nation* of America, I

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have

* (*i. e.*) of *legal liberty*;—the *independance* of freemen, con-
 tra-distinguished to the *dependent* state of slaves. It was thought
 necessary

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have the most authentic information. It is not new among them; it is, and has ever been, their established principle, their confirmed persuasion: it is their nature, and their doctrine.

‘ I remember some years ago, when the repeal of the stamp act was in agitation, conversing in a friendly confidence with a person of undoubted respect and authenticity, on that subject; and he assured me with a certainty which his judgment and opportunity gave him, that these were the prevalent and steady principles of America—That you might destroy their towns, and cut them off from the superfluities, perhaps the conveniences of life; but that they were prepared to despise your power, and would not lament their loss, whilst they have—what, my Lords?—their *woods* and their *liberty*. The name of my authority, if I am

necessary to specify this idea, lest Lord *Chatbam* should have been misconceived to have imputed to America an original *wish* of *disconnexion* from this country. On the contrary, when that fatal event did occur, his Lordship attributed it to a very different cause from the *inclination* of America.—That state of independency into which *your measures hitherto* have driven her.”——See his *Lordship's Speech, on the 13th of Nov. 1777.*

called

called upon, will authenticate the opinion irrefragably*.

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* If illegal violences have been, as it is said, committed in America; prepare the way, open the door of possibility, for acknowledgment and satisfaction: but proceed not to such coercion, such proscription; cease your indiscriminate inflictions; amerce not thirty thousand; oppress not three millions; for the fault of forty or fifty individuals. Such severity of injustice must forever render incurable the wounds you have already given your colonies; you irritate them to unappeasable rancour. What though you march from town to town, and from province to province; though you should be able to enforce a temporary and local submission, which I only suppose, not admit—how shall you be able to secure the obedience of the country you leave behind you in your progress, to grasp the dominion of eighteen hundred miles of continent, populous in numbers, possessing valour, liberty and resistance?

* It was Dr. Franklin.

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‘ This resistance to your arbitrary system of taxation might have been foreseen: it was obvious from the nature of things, and of mankind; and above all, from the Whiggish spirit flourishing in that country. The spirit which now resists your taxation in America, is the * same which formerly opposed loans, benevolences, and ship-money, in England: the same spirit which called all England *on its legs*, and by the Bill of Rights vindicated the English constitution: the same spirit which established the great, fundamental, essential maxim of your liberties, *that no subject of England shall be taxed but by his own consent*.

‘ This glorious spirit of Whiggism animates three millions in America; who prefer poverty with liberty, to gilded chains and sordid affluence; and who will die in defence of their rights as men, as freemen.

* Not so, according to the political logic of Administration; which would prove the *Foryism* of “this American spirit.” In the debate for an address, on the first day of the session, Oct. 26, 1775, Mr. Fox urged, with his usual ability, what he conceived to be Whig principles; principles consulting the good of the *governed*, rather than the *governors*; principles jealously securing the *rights of the people* against every encroachment of power: and these, he thought, had some relation to the cause and conduct of America.

What

What shall oppose this spirit, aided by the congenial flame glowing in the breasts of every Whig in England, to the amount, I hope, of double the American numbers? Ireland they have to a man. In that country, joined as it is with the cause of Colonies, and placed at their head, the distinction I contend for is and must be observed. This country superintends and controuls their trade and navigation; but they *tax themselves*. And this distinction between external and internal controul is sacred and insurmountable; it is involved in the abstract nature of things. Property is private, individual, absolute. Trade is an extended and complicated consideration: it reaches as far as ships can sail or winds can blow: it is a great and various machine. To regulate the numberless movements of its several parts, and combine them into effect, for the good of the whole, requires the superintending wisdom and energy of the supreme power in the empire. But this supreme power has no effect towards internal taxation; for it does not exist in that relation; there is no such thing, *no such idea in this constitution, as a supreme power operating upon property*. Let this distinction then remain

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for ever ascertained; taxation is theirs, commercial regulation is ours. As an American I would recognize to England her supreme right of regulating commerce and navigation: as an Englishman by birth and principle, I recognize to the Americans their supreme unalienable right in their property; a right which they are justified in the defence of to the last extremity. To maintain this principle is the common cause of the Whigs on the other side of the Atlantic, and on this. " 'Tis liberty to liberty engaged," that they will defend themselves, their families, and their country. In this great cause they are immoveably allied: it is the alliance of God and nature—immutable, eternal—fixed as the firmament of heaven.

‘ To such united force, what force shall be opposed?—What, my Lords?—A few regiments in America, and seventeen or eighteen thousand men at home!—The idea is too ridiculous to take up a moment of your Lordships’ time. Nor can such a national and principled union be resisted by the tricks of office, or Ministerial manœuvre. Laying of papers on your table, or counting numbers on a division, will not
avert

avert or postpone the hour of danger: it must arrive, my Lords, unless these fatal acts are done away; it must arrive in all its horrors, and then these boastful Ministers, spite of all their confidence, and all their manœuvres, shall be forced to hide their heads. They shall be forced to a disgraceful abandonment of their present measures and principles, which they avow, but cannot defend; measures which they presume to attempt, but cannot hope to effectuate. They cannot my Lords, they cannot stir a step; they have not a *move** left; they are *check-mated*.

‘ But it is not repealing this act of Parliament, it is not repealing a *piece of parchment*, that can restore America to our bosom;

* An allusion to the game of Chess,—The *King* is the object of the game; and therefore the most valuable, though not the most powerful, piece on the board. *Check-mate* is that situation where he is so weakly supported by his pieces, or so entangled by their injudicious disposition, that he cannot escape. This danger is often incurred by exposing himself too much, and taking too active a part in the game. Vide Philidor.—It is certainly a noble and royal pastime. CHARLES I. was actually playing at it in the Scots camp, when intelligence was brought to him of their final resolution to betray him. In due praise of the royal steadiness, the historian observes, that “he continued his game without interruption.” See Hume’s Hist. of England:—or, as Lord Chatham once called it, “his *apology* for the House of Stuart.”

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you must repeal her fears and her resentments; and you may then hope for her love and gratitude. But now, insulted with an armed force, posted at Boston; irritated with an hostile array before her eyes, her concessions, if you *could* force them, would be suspicious and insecure; they will be *irato animo*; they will not be the sound honourable passions of freemen, they will be the dictates of fear, and extortions of force. But it is more than evident, that you cannot force them, united as they are, to your unworthy terms of submission—it is impossible: and when I hear General *Gage* censured for inactivity, I must retort with indignation on those, whose intemperate measures and improvident councils have betrayed him into his present situation. His situation reminds me, my Lords, of the answer of a French General in the civil wars of France—*Monfieur Conde* opposed to *Monfieur Turenne*: he was asked, how it happened that he did not take his adversary prisoner, as he was often very near him: “*J’ai peur.*” replied *Conde*, very honestly, “*J’ai peur qu’il ne me prenne;*”—*I’m afraid he’ll take me.*

‘When

When your Lordships look at the papers transmitted us from America; when you consider their decency, firmness, and wisdom, you cannot but respect their cause, and wish to make it your own. For myself, I must declare and avow, that in all my reading and observation—and it has been my favourite study—I have read Thucydides and have studied and admired the master-states of the world—that for solidity of reasoning, force of sagacity, and wisdom of conclusion, under such a complication of difficult circumstances, no nation, or body of men, can stand in preference to the general Congress at Philadelphia. I trust it is obvious to your Lordships, that all attempts to impose servitude upon such men, to establish despotism over such a mighty continental nation, must be vain, must be fatal. We shall be *forced ultimately to retract*; let us retract while we can, not when we must. I say we must necessarily undo these violent oppressive acts * *they must be repealed--you*

* Acts of Parliament passed in the preceding session, for shutting up the port of Boston, altering the charter of Massachusetts Bay, &c. The noble speaker's prediction was strictly verified; the repeal of these acts was *at last*, after three years fruitless war, sent out as a peace-offering to the Congress of America; by whom it was treated with contempt.

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Avoid, then, this humiliating, disgraceful necessity. With a dignity becoming your exalted situation, make the first advances to concord, to peace, and happiness: for *that* is your true dignity, to act with prudence and justice. That *you* should first concede, is obvious, from sound and rational policy. Concession comes with better grace and more salutary effect from superior power; it reconciles superiority of power with the feelings of men; and establishes solid confidence on the foundations of affection and gratitude.

† So thought a wise poet and a wise man in political sagacity; the friend of Mécænas, and the eulogist of Augustus.—To him, the adopted son and successor, the first Cæsar, to him, the master of the world, he wisely urged this conduct of prudence and dignity; “*Tuque prior, tu parce; projice tela manu.*”

‘ Every motive, therefore, of justice and of policy, of dignity and of prudence, urges
you

you to allay the ferment in America—by a removal of your troops from Boston—by a repeal of your acts of Parliament— and by demonstration of amicable dispositions towards your Colonies. On the other hand, every danger and every hazard impend, to deter you from perseverance in your present ruinous measures.—Foreign war hanging over your heads by a slight and brittle thread; France and Spain watching your conduct, and waiting for the maturity of your errors; —with a vigilant eye to America, and the temper of your Colonies, more than to their own concerns, be they what they may.

‘ To conclude, my Lords; If the Ministers thus persevere in misadvising and misleading the King, I will not say, that they *can* alienate the affections of his subjects from his crown; but I will affirm, *that they will make the crown not worth his wearing* :—I will not say that the King is betrayed; but I will pronounce, *that the kingdom is undone*.’

Here it will not be improper to offer a few explanatory observations, particularly on the preceding speech.

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The reader will recollect, that the motion which accompanied the preceding speech, for removing his Majesty's troops from Boston, was urged by the noble Speaker expressly on the ground of *peaceably* accommodating the dispute with America. He will remember that the only ground of dispute then, was *the taxation of that country claimed by this*; the attempted exercise of which, had produced a riot at Boston. The *Independence* of America was not then in contemplation: unless in the reveries of a reverend writer* on the subject, who maintained a proposition, memorable only for its *singularity*, "that the independence of America would be a beneficial event to England."—To the Americans it never occurred, unless for the refutation of some injurious suspicions, by the most solemn, absolute, and express disavowal.

The noble Lord's motion was, however, rejected; and hostilities commenced at Lexington, on the 19th of the following April.

It is unnecessary to particularize the subsequent events. They are too well known,

* Dr. Tucker.

and

and have been too severely felt, by every friend of his country*. “*Years of Calamity*” fatally fulfil the prophecy of Lord Chatham. The British Empire has sustained the “*immedicabile vulnus*” which his wisdom would have averted.—How he would have corrected the disorder at its *crisis*, before it attained its desperate malignity, will be seen in his Lordship’s speech, on the eighteenth of November, 1777. His Majesty’s speech on that day expressed the “*Confidence*” and “*Hopes*” of his Ministers; and they may fairly stand in contrast with the opinions of Lord Chatham. Let history form the comment.

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On the first day of February 1775, Lord Chatham offered to the House of Lords a bill for quieting the troubles in America, which he introduced with saying, ‘that he offered it as a *basis* for averting the dangers which now threatened the British empire; and he hoped, he said, that it would meet

His bill
for quiet-
ing the
troubles
in Ame-
rica.

* The astonishing number of taxes laid upon the people of Great Britain, from the year 1775 to the year 1785, may be justly imputed to the American war.

with

with the approbation of every side of the House. He proceeded to state the urgent necessity of such a plan: as, perhaps, the delay of a few hours might for ever defeat the possibility of any such conciliatory intervention. He represented Great Britain and America as drawn up in martial array; waiting for the signal to engage in a contest, in which it was little matter for whom victory declared, as ruin and destruction must be the inevitable consequence to both parties. He wished, he said, from a principle of duty and affection, to act the part of a mediator. He said, however, that no regard for popularity, no predilection for his country, not the high esteem he entertained for America on the one hand, nor the unalterable steady regard he entertained for the dignity of Great-Britain on the other, should at all influence his conduct; for though he loved the Americans, as men prizing and setting the just value on that inestimable blessing, Liberty; yet if he could once bring himself to be persuaded, that they entertained the most distant intentions of throwing off the legislative supremacy and great constitutional superintending power and controul of the British legislature, he should be the very person

person himself, who would be the first and most zealous mover for securing and enforcing that power by every possible exertion this country was capable of making. He recurred to his former arguments, on the great constitutional question of taxation and representation; insisted they were inseparable, and planted so deeply in the vital principles of the constitution, as never to be torn up, without destroying and pulling asunder every band of legal government and good faith, which formed the cement that united its several constituent parts together. He intreated the assistance of the House to digest the crude materials which he presumed to lay before it, and to reduce his bill to that form which was suited to the dignity and the importance of that subject, and to the great ends to which it was ultimately directed. He called on them to exercise their candour on the present occasion, and deprecated the effects of party, or prejudice; of factious spleen, or blind predilection. He avowed himself to be actuated by no narrow principle, or personal consideration whatever; for though the present bill might be looked upon as a bill of concession, it was impossible

impossible but to confess at the same time that it was a bill of assertion.'

The following is an authentic copy of the proposed bill.

"A provisional act for settling the troubles in America; and for asserting the supreme legislative authority and superintending power of Great Britain over the Colonies.

"Whereas by an act 6 Geo. III. it is declared, that Parliament has full power and authority to make laws and statutes to bind the people of the Colonies, in all cases whatsoever; and whereas reiterated complaints and most dangerous disorders have grown, touching the right of taxation claimed and exercised over America, to the disturbance of peace and good order there, and to the actual interruption of the due intercourse from Great Britain and Ireland to the Colonies, deeply affecting the navigation, trade, and manufactures of this kingdom and of Ireland, and announcing farther an interruption of all exports from the said Colonies to great Britain, Ireland, and the British Islands in America: Now, for prevention of

of these ruinous mischiefs, and in order to an equitable, honourable, and lasting settlement of claims not sufficiently ascertained and circumscribed, May it please your most Excellent Majesty, that it may be declared, and be it declared by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal and Commons in this present Parliament assembled, and by the authority of the same, that the Colonies of America have been, are, and of right ought to be, dependent upon the Imperial Crown of Great-Britain, and subordinate unto the British Parliament, and that the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal and Commons in Parliament assembled, had, hath, and of right ought to have, full power and authority to make laws and statutes of sufficient force and validity to bind the people of the British Colonies in America, in all matters touching the general weal of the whole dominion of the Imperial Crown of Great Britain, and beyond the competency of the local representative of a distinct colony; and most especially an indubitable and indispensable right

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to make and ordain laws for regulating navigation and trade throughout the complicated system of British commerce; the deep policy of such prudent acts upholding the guardian navy of the whole British empire; and that all subjects in the Colonies are bound in duty and allegiance duly to recognize and obey (and they are hereby required so to do) the supreme legislative authority and superintending power of the Parliament of Great Britain, as aforesaid. And whereas, in a petition from America to his Majesty, it has been represented, that the keeping a standing army within any of the Colonies, in time of peace, without consent of the respective Provincial Assembly there, is against law: Be it declared by the King's most Excellent Majesty, by and with the consent of the Lords Spiritual and Temporal and Commons in this present Parliament assembled, that the Declaration of Right, at the ever-glorious Revolution, namely, "That the raising and keeping a standing army within the kingdom, in time of peace, unless it be by the consent of Parliament, is against law," having reference only to the consent of the Parliament of Great Britain, the legal, constitutional, and hitherto unquestioned prerogative

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rogative of the Crown, to send any part of such army, so lawfully kept, to any of the British dominions and possessions, whether in America or elsewhere, as his Majesty, in the due care of his subjects, may judge necessary for the security and protection of the same, cannot be rendered dependent upon the consent of a Provincial Assembly in the Colonies, without a most dangerous innovation, and derogation from the dignity of the Imperial Crown of Great Britain. Nevertheless, in order to quiet and dispel groundless jealousies and fears, be it hereby declared; That no military force, however raised, and kept according to law, can ever be lawfully employed to violate and destroy the just rights of the people. Moreover, in order to remove for ever all causes of pernicious discord, and in due contemplation of the vast increase of possessions and population in the Colonies; and having a heart to render the condition of so great a body of industrious subjects there more and more happy, by the sacredness of property and of personal liberty, of more extensive and lasting utility to the parent kingdom, by indissoluble ties of mutual affection, confidence, trade, and reciprocal benefits, Be it declared

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and enacted, by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal and Commons in this present Parliament assembled, and it is hereby declared and enacted by the authority of the same, That no tallage, tax, or other charge for his Majesty's revenue, shall be commanded or levied, from British freemen in America, without common consent, by act of Provincial Assembly there, duly convened for that purpose. And it is hereby further declared and enacted, by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal and Commons in this present Parliament assembled, and by the authority of the same, That it shall and may be lawful for delegates from the respective provinces, lately assembled at Philadelphia, to meet in general Congress at the said city of Philadelphia, on the 9th day of May next ensuing, in order then and there to take into consideration the making due recognition of the supreme legislative authority and superintending power of Parliament over the Colonies as aforesaid. And moreover, may it please your most Excellent Majesty, that the said Delegates, to be

in

in Congress assembled in manner aforesaid, may be required, and the same are hereby required, by the King's Majesty sitting in his Parliament, to take into consideration (over and above the usual charge for support of civil government in the respective Colonies) the making a free grant to the King, his heirs, and successors, of a certain perpetual revenue, subject to the disposition of the British Parliament, to be by them appropriated as they in their wisdom shall judge fit, to the alleviation of the national debt: no doubt being had but this just, free aid, will be in such honourable proportion as may seem meet and becoming from great and flourishing colonies towards a parent country labouring under the heaviest burdens, which, in no inconsiderable part, have been willingly taken upon ourselves and posterity, for the defence, extension, and prosperity of the Colonies. And to this great end, be it farther hereby declared and enacted, that the general Congress (to meet at Philadelphia as aforesaid) shall be, and is hereby authorized and empowered (the Delegates composing the same being first sufficiently furnished with powers from their respective provinces for this purpose) to ad-

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just and fix the proportions and quotas of the several charges to be borne by each province respectively, towards the general contributory supply; and this in such fair and equitable measure, as may best suit the abilities and due convenience of all: Provided always, that the powers for fixing the said quotas, hereby given to the delegates from the old provinces composing the Congress, shall not extend to the new provinces of East and West Florida, Georgia, Nova Scotia, St. John's, and Canada; the circumstances and abilities of the said provinces being reserved for the wisdom of Parliament in their due time. And in order to afford necessary time for mature deliberation in America, be it hereby declared, That the provisions for ascertaining and fixing the exercise of the right of taxation in the Colonies, as agreed and expressed by this present act, shall not be in force, or have any operation, until the delegates to be in Congress assembled, sufficiently authorised and empowered by their respective provinces to this end, shall, as an indispensable condition, have duly recognised the supreme legislative authority and superintending power of the Parliament of Great Britain over the Colonies aforesaid:

said: Always understood, That the free grant of an aid, as heretofore required and expected from the Colonies, is not to be considered as a condition of redress, but as a just testimony of their affection. And whereas, divers acts of Parliament have been humbly represented, in a petition to his Majesty from America, to have been found grievous, in whole or in part, to the subjects of the Colonies, be it hereby declared by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal and Commons in this present Parliament assembled, and by the authority of the same, That the powers of Admiralty and Vice-Admiralty Courts in America shall be restrained within their ancient limits, and the Trial by Jury, in all civil cases, where the same may be abolished, restored: And that no subject in America shall, in capital cases, be liable to be indicted and tried for the same, in any place out of the province wherein such offence shall be alledged to have been committed, nor be deprived of a trial by his peers of the vicinage; nor shall it be lawful to send persons indicted for murder in any province of America, to another colony, or to Great Britain,

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for trial. - And be it hereby declared and enacted, by the authority aforesaid, That all and every the said acts, or so much thereof as are represented to have been found grievous, namely, the several acts of the 4th Geo. III. ch. 15. and ch. 34.—5th Geo. III. ch. 25.—6th Geo. III. ch. 52.—7th Geo. III. ch. 41. and ch. 46.—8th Geo. III. ch. 22.—12th Geo. III, ch. 24.---with the three acts for stopping the port, and blocking up the harbour of Boston; for altering the charter and government of Massachusetts Bay; and that entitled, An act for the better administration of justice, &c.; also the act for regulating the government of Quebec, and the act passed in the same session relating to the quarters of soldiers, shall be, and are hereby suspended, and not to have effect or execution, from the date of this act. And be it moreover hereby declared and enacted, by the authority aforesaid, That all and every the before-recited acts, or the parts thereof complained of, shall be and are, in virtue of this present act, finally repealed and annulled, from the day that the new recognition of the supreme legislative authority and superintending power of Parliament
over

over the Colonies, shall have been made on the part of the said Colonies.

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And for the better securing due and impartial administration of justice in the Colonies, be it declared and enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal and Commons in this present Parliament assembled, That his Majesty's Judges in Courts of Law in the Colonies of America, to be appointed with salaries by the Crown, shall hold their offices and salaries as his Majesty's Judges in England, *quamdiu se bene gefferint*. And it is hereby further declared, by the authority aforesaid, that the Colonies in America are justly entitled to the privileges, franchises, and immunities granted by their several Charters or Constitutions; and that the said Charters or Constitutions ought not to be invaded or resumed, unless for misuser, or some legal ground of forfeiture. So shall true reconciliation avert impending calamities, and this solemn national accord between Great Britain and her Colonies stand an everlasting monument of clemency and magnanimity in the benignant father of his people,

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ple, of wisdom and moderation in this great nation, famed for humanity as for valour, and of fidelity and grateful affection from brave and loyal Colonies to their parent kingdom, which will ever protect and cherish them."

Lord *Sandwich* moved to reject the Bill. Lord *Gower* reprobated the Bill with extraordinary asperity. The Duke of *Grafton* said the Bill was unparliamentary.

Lord
Chatham.

Lord *Chatham* replied to the several objections which were made by the Lords in Administration; he descanted with equal humour and severity upon the very extraordinary logic employed by the noble Duke, his *quondam* colleague in office, and very humble servant. The noble Duke, says his Lordship, is extremely angry with me, that I did not previously consult him on the bringing in the present bill; I would ask the noble Duke, does he consult me? or do I desire to be previously told of any motions or measures he thinks fit to propose to this House? His Grace seems to be much offended at the manner this bill has been hurried. I am certain he could not be serious,

if he gave himself a minute to consider how the case really stands. Here we are told, that America is in a state of actual rebellion, and we are now advanced to the 1st of February, and no one step is taken to crush this supposed rebellion : yet, such being the case, I am charged with hurrying matters ; but whether my conduct may be more justly charged with hurrying this business into, or his Grace with hurrying it out of the House, I believe requires no great depth of penetration to discover. As to the other general objections, I presume it will be recollected, that when I submitted my motion for withdrawing the troops from Boston, I then gave notice that I would present in a few days, a plan of general reconciliation. Eleven days have since elapsed, and nothing has been offered by the King's servants. Under such circumstances of emergency on one side, when, perhaps, a single day may determine the fate of this great empire ; and such a shameful negligence, total inattention, and want of ability on the other, what was to be done ? No other alternative, in my opinion remained, but either to abandon the interests of my country, and relinquish my duty, or to propose some plan, when

when Ministry, by their inaction and silence, owned themselves incapable of proposing any. But even now let them speak out, and tell me, that they have a plan to lay before us, and I will give them an example of candour they are by no means deserving of, by instantly withdrawing the present Bill. The indecent attempt to stifle this measure in embryo, may promise consequences the very reverse of what I am certain will be the case if the bill is admitted. The friends of the present motion may flatter themselves, that the contents of the Bill will sink into silence and be forgotten, but I believe they will find the contrary. This Bill, though rejected here, will make its way to the public, to the nation, to the remotest wilds of America; it will, in such a course undergo a deal of cool observation and investigation; and whatever its merits or demerits may be, it will stand or fall by them alone; it will, I trust, remain an evidence of my poor endeavours to serve my country; and however faulty or defective, will at least manifest how zealous I have been to avert the impending storms which seem ready to burst on it, and for ever overwhelm it in ruin. Yet, when I consider the whole case as it lies before me,

I am,

I am not much astonished, I am not surprised, that men who hate liberty, should detest those that prize it; or that those who want virtue themselves, should endeavour to persecute those who possess it. Were I disposed to pursue this theme to the extent that truth would fully bear me out in, I could demonstrate, that the whole of your political conduct, has been one continued series of weakness, temerity, despotism, ignorance, futility, negligence, and the most notorious servility, incapacity, and corruption. On reconsideration, I must allow you one merit, a strict attention to your own interests: in that view you appear sound statesmen, and able politicians. You well know, if the present measure should prevail, that you must instantly relinquish your places. I doubt much whether you will be able to keep them on any terms: but sure I am, that such is your well-known characters and abilities, any plan of reconciliation, however moderate, wise, and feasible, must fail in your hands. Such then being your precarious situations, who should wonder that you can put a negative on any measure which must annihilate your power, deprive you of your emoluments, and at once reduce you
to

to that state of insignificance, for which God and Nature designed you?"

The Bill was rejected, and not suffered to lie upon the table.

Although the Bill met with a fate so unjust in Parliament, it was very differently received by the Public. On the tenth day of February, the Corporation of the City of London came to the following resolution:

"That the thanks of this Court be given to the Right Hon. the Earl of *Chatham* for having offered to the House of Lords a plan for conciliating the differences which unfortunately subsist between the Administration in this country and its American Colonies; and to all those who supported that noble Lord in so humane a measure."

The Town Clerk having waited on Lord *Chatham* with the above resolution, his Lordship returned the following answer:

"Lord *Chatham* desires the favour of Mr. Town Clerk to offer my Lord Mayor, the Aldermen, and Commons, in Common Council

Council assembled, his most respectful and grateful acknowledgements for the signal honour they have been pleased to confer on the mere discharge of his duty, in a moment of impending calamity.

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“ Under deep impressions of former marks of favourable construction of his conduct, during the evil hour of a dangerous foreign war, he now deems himself too fortunate to find his efforts for preventing the ruin and horrors of a civil war, approved, honoured, and strengthened by the first Corporate body in the kingdom.”

During the remainder of the session, which ended on the 26th of May, 1775, Lord *Chatham* did not attend; nor during the succeeding session, which began on the 26th of Oct. 1775, and ended on the 23d of May 1776. His health declined so fast, he was not able.

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Duke of Grafton resigns—Lord Chatham's motion to discontinue the American War; and Speeches on the same.

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Duke of
Grafton
resigns.

AT the meeting of Parliament towards the end of October, 1775, the Duke of *Grafton* being convinced of the hostile measures of the Cabinet against America, declared that his conscience forbade him supporting those measures in Parliament, and, therefore, he resigned the Privy Seal; which was thereupon given to Lord *Dartmouth*, and Lord *George Germaine* succeeded his Lordship as Secretary of State for America.

1777.

On the thirteenth day of May, 1777, Lord *Chatham* attended the House of Lords, again, to make another motion, deprecating hostilities with America. He began—

Lord
Chatham's
motion to
disconti-
nue the A-
merican
war. And
Speeches
on the
same.

‘My Lords, this is a flying moment; perhaps but six weeks left to arrest the dangers that surround us. The gathering storm may break; it has already opened, and in part burst.

burst. It is difficult for Government, after all that has passed, to shake hands with defiers of the King, defiers of the Parliament, defiers of the people. I am a defier of nobody; but if an end is not put to this war, there is an end to this country. I do not trust my judgment in my present state of health; this is the judgment of my better days; the result of forty years attention to America. They are rebels; but what are they rebels for? Surely not for defending their unquestionable rights! What have these rebels done heretofore? I remember when they raised four regiments on their own bottom, and took Louisbourg from the veteran troops of France. But their excesses have been great. I do not mean to be their panegyric; but must observe in attenuation, the erroneous and infatuated counsels, which have prevailed—the door to mercy and justice has been shut against them. But they may still be taken up upon the Grounds of their former submission. [*Referring to their petition.*] I state to you the importance of America; it is a double-market; the market of consumption, and the market of supply. This double-market for millions, with naval stores, you are giving to your

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hereditary rival. America has carried you through former wars, and will now carry you to your death, if you don't take things in time. In the sportsman's phrase, when you have found yourselves at fault, you must try back. You have ransacked every corner of Lower Saxony; but 40,000 German boors never can conquer ten times the number of British freemen: they may ravage; they cannot conquer. But you would conquer, you say! Why, what would you conquer—the map of America? I am ready to meet any General Officer on the subject. [Looking at Lord *Amherst*] What will you do out of the protection of your fleet? In the winter, if together, they are starved; and if dispersed they are taken off in detail. I am experienced in spring hopes and vernal promises; I know what Ministers throw out; but at last will come your equinoctial disappointment. You have got nothing in America but stations. You have been three years teaching them the art of war. They are apt scholars, and I will venture to tell your Lordships, that the American gentry will make officers enough fit to command the troops of all the European powers. What you have sent there, are too many to make
peace,

peace, too few to make war. If you conquer them, what then? You cannot make them respect you; you cannot make them wear your cloth. You will plant an invincible hatred in their breasts against you. Coming from the stock they do, they can never respect you. If Ministers are founded in saying there is no sort of treaty with France, there is still a moment left; the point of honour is still safe. France must be as self-destroying as England, to make a treaty while you are giving her America at the expence of twelve millions a year. The intercourse has produced every thing to France; and England, old England, must pay for all. I have at different times made different propositions, adapted to the circumstances in which they were offered. The plan contained in the former bill, is now impracticable; the present motion will tell you where you are, and what you have now to depend upon. It may produce a respectable division in America, and unanimity at home. It will give America an option; she has yet made no option. You have said, lay down your arms, and she has given you the Spartan answer, "come take." [*Here he read his motion.*]

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“ THAT an humble address be presented to his Majesty, most dutifully representing to his royal wisdom, that this House is deeply penetrated with the view of impending ruin to the kingdom, from the continuation of an unnatural war against the British Colonies in America; and most humbly to advise his Majesty to take the most speedy and effectual measures for putting a stop to such fatal hostilities, upon the only just and solid foundation, namely the removal of accumulated grievances; and to assure his Majesty, that this House will enter upon this great and necessary work with chearfulness and dispatch, in order to open to his Majesty the only means of regaining the affections of the British Colonies, and of securing to Great Britain the commercial advantages of these valuable possessions; fully persuaded, that to heal and to redress, will be more congenial to the goodness and magnanimity of his Majesty, and more prevalent over the hearts of generous and free-born subjects, than the rigours of chastisement, and the horrors of a civil war, which hitherto have served only to sharpen resentments, and consolidate union, and, if continued, must
end

end in finally dissolving all ties between Great Britain and the Colonies."

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Lord *Chatham* rose again. 'The proposal he said, is specific. I thought it so clear, that I did not enlarge upon it. I mean the redress of all their grievances, and the right of disposing of their own money. This is to be done instantaneously. I will get out of my bed to move it on Monday. This will be the herald of peace; this will open the way for treaty; this will shew Parliament sincerely disposed. Yet still much must be left to treaty. Should you conquer this people, you conquer under the cannon of France; under a masked battery then ready to open. The moment a treaty with France appears, you must declare war, though you had only five ships of the line in England; but France will defer a treaty as long as possible. You are now at the mercy of every little German chancery; and the pretensions of France will increase daily, so as to become an avowed party in either peace or war. We have tried for unconditional submission: try what can be gained by unconditional redress. Less dignity will be lost in the repeal, than in submitting to the

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demands of German chanceries. We are the aggressors. We have invaded them. We have invaded them as much as the Spanish armada invaded England. Mercy cannot do harm; it will seat the King where he ought to be, throned on the hearts of his people; and millions at home and abroad, now employed in obloquy or revolt, would pray for him,

In making his motion for addressing the King, he insisted frequently and strongly on the absolute necessity of immediately making peace with America. Now, he said, 'was the crisis, before France was a party to the treaty. This was the only moment left before the fate of this country was decided, The French court, he observed, was too wise to lose the opportunity of effectually separating America from the dominions of this kingdom. War between France and Great Britain, he said, was not less probable because it had not yet been declared: it would be folly in France to declare it now, while America gave full employment to our arms, and was pouring into her lap her wealth and produce; the benefit of which she was enjoying in peace. He enlarged much

much on the importance of America to this country, which, in peace and in war he observed, he ever considered as the great source of all our wealth and power. And then added [raising his voice] "Your trade languishes, your taxes increase, your revenues diminish; France, at this moment, is securing and drawing to herself that commerce, which created your seamen, fed your islands &c." 'He reprobated the measures which produced, and which have been pursued in the conduct of the civil war, in the severest language; infatuated measures giving rise, and still continuing a cruel, unnatural, self destroying war. Success, it is said, is hoped for in this campaign. Why? Because our army will be as strong this year as it was last, when it was not strong enough. The notion of conquering America he treated with the greatest contempt.'

Lord *Gower*, and other Lords in Administration, condemned the motion in the severest terms: and Lord *Hillsborough* affecting not to understand it, Lord *Chatham* rose a second time, and said,

'I will, with your Lordship's permission, state shortly what I meant. My Lords, my

motion was stated generally, that I might leave the question at large to be amended by your Lordships. I did not dare to point out the specific means. I drew the motion up to the best of my poor abilities; but I intended it only as the herald of conciliation, as the harbinger of peace to our afflicted Colonies. But as the noble Lord seems to wish for something more specific on the subject, and through that medium seeks my particular sentiments, I will tell your Lordships very fairly what I wish for. I wish for a repeal of every oppressive act which your Lordships have passed since 1763. I would put our brethren in America precisely on the same footing they stood at that period. I would expect, that being left at liberty to tax themselves, and dispose of their own property, they would in return contribute to the common burthens, according to their means and abilities. I will move your Lordships for a bill of repeal, as the only means left to arrest that approaching destruction which threatens to overwhelm us.—My Lords, I shall no doubt hear it objected, Why should we submit or concede? Has America done any thing on her part to induce us to agree to so large a ground of concession?

cession? I will tell you, my Lords, why I think, you should. You have been the aggressors from the beginning. I shall not trouble your Lordships with the particulars; they have been stated and enforced by the noble and learned Lord, who spoke last but one, (Lord *Camden*,) in a much more able and distinct manner than I could pretend to state them. If, then, we are the aggressors, it is your Lordships business to make the first overture. I say again, this country has been the aggressor. You have made descents upon their coasts: you have burnt their towns, plundered their country, made war upon the inhabitants, confiscated their property, proscribed and imprisoned their persons. I do therefore affirm, my Lords, that instead of exacting unconditional submission from the Colonies, we should grant them unconditional redress. We have injured them; we have endeavoured to enslave and oppress them. Upon this ground, my Lords, instead of chastisement, they are entitled to redress. A repeal of those laws, of which they complain, will be the first step to that redress. The people of America look upon Parliament as the author of their miseries; their affections are estranged from their Sovereign.

Let

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Let, then, reparation come from the hands that inflicted the injuries; let conciliation succeed chastisement; and I do maintain, that Parliament will again recover its authority; that his Majesty will be once more enthroned in the hearts of his American subjects; and that your Lordships, as contributing to so great, glorious, salutary, and benignant a work, will receive the prayers and benedictions of every part of the British empire.'

The motion was negatived.

The session ended on the sixth day of June 1777.

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Lord Chatham's Speech on the Address, and his amendment—on the employment of the Indians in North America—on the Returns of the Army—on the Capture of General Burgoyne's Army—His motion on the employment of the Indians—His Speech against the motion to adjourn.

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PARLIAMENT met on the 18th day of November 1777. The war with America becoming every day more critical, Lord Chatham, though he had scarcely strength

to move, foreseeing the fatal consequences of it, was exceedingly ardent in his wish to arrest the evil, in every stage of its progress. He therefore attended on the first day of the Session. Lord *Percy* having moved the Address, Lord *Chatham* rose in a little time after.

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‘I rise, my Lords,’ he said*, ‘to declare my sentiments on this most solemn and serious subject. It has imposed a load upon my mind, which, I fear, nothing can remove; but which impels me to endeavour its alleviation, by a free and unreserved communication of my sentiments,

Lord
Chatham’s
Speech
on the Ad-
dress.

‘In the first part of the Address, I have the honour of heartily concurring with the noble Earl who moved it. No man feels sincerer joy than I do; none can offer more genuine congratulation on every accession of strength to the Protestant succession: I therefore join in every congratulation on the birth of another princess, and the happy recovery

* This speech was taken by the same gentleman who took that of the 20th of January 1775, and has been equally esteemed for its accuracy.

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of her Majesty. But I must stop here; my courtly complaisance will carry me no further: I will not join in congratulation on misfortune and disgrace: I cannot concur in a blind and servile address, which approves, and endeavours to sanctify, the monstrous measures which have heaped disgrace and misfortune upon us—which have brought ruin to our doors. This, my Lords, is a perilous and tremendous moment! It is not a time for adulation. The smoothness of flattery cannot now avail—cannot save us in this rugged and awful crisis. It is now necessary to instruct the Throne in the language of truth. We must dispel the delusion and the darkness which envelope it; and display, in its full danger and true colours, the ruin that is brought to our doors.

‘ This, my Lords, is our duty; it is the proper function of this noble assembly, sitting, as we do, upon our honours in this house, the hereditary council of the crown: And *who* is the minister—*where* is the minister, that has dared to suggest to the Throne the contrary, unconstitutional language this day delivered from it?—The accustomed language from the Throne has
been

been application to Parliament for advice, and a reliance on its constitutional advice and assistance: as it is the right of Parliament to give, so it is the duty of the crown to ask it. But on this day, and in this extreme momentous exigency, no reliance is reposed on our constitutional counsels! no advice is asked from the sober and enlightened care of Parliament! But the Crown, from itself, and by itself, declares an unalterable determination to pursue measures—and what measures, my Lords?---The measures that have produced the imminent perils that threaten us; the measures that have brought ruin to our doors.

‘ Can the minister of the day now presume to expect a continuance of support, in this ruinous infatuation? Can Parliament be so dead to its dignity and its duty, as to be thus deluded into the loss of the one, and the violation of the other?—To give an unlimited credit and support for the *steady* perseverance in measures; that is the word and the conduct—proposed for our parliamentary advice, but dictated and forced upon us—in measures, I say, my Lords, which have reduced this late flourishing empire

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pire to ruin and contempt!—" *But yesterday, and England might have stood against the world: now none so poor to do her reverence.*"

I use the words of a poet; but though it be poetry, it is no fiction. It is a shameful truth, that not only the power and strength of this country are wasting away and expiring; but her well-earned glories, her true honour, and substantial dignity, are sacrificed. France, my Lords, has insulted you; she has encouraged and sustained America; and whether America be wrong or right, the dignity of this country ought to spurn at the officious insult of French interference. The ministers and ambassadors of those who are called rebels and enemies, are in Paris; in Paris they transact the reciprocal interests of America and France. Can there be a more mortifying insult? Can even our ministers sustain a more humiliating disgrace? Do they dare to resent it? Do they presume even to hint a vindication of their honour, and the dignity of the state, by requiring the dismissal of the plenipotentiaries of America? Such is the degradation to which they have reduced the glories of England! The people whom they affect to call contemptible rebels, but whose growing power

has

has at last obtained the name of enemies; the people with whom they have engaged this country in war, and against whom they now command our implicit support in every measure of desperate hostility: this people, despised as rebels, or acknowledged as enemies, are abetted against you, supplied with every military store, their interests consulted, and their ambassadors entertained, by your inveterate enemy! and our ministers dare not interpose with dignity or effect. Is this the honour of a great kingdom? Is this the indignant spirit of England, who, "but yesterday," gave law to the House of Bourbon? My Lords, the dignity of nations demands a decisive conduct in a situation like this. Even when the greatest prince that perhaps this country ever saw, filled our throne, the requisition of a Spanish general, on a similar subject, was attended to, and complied with; for, on the spirited remonstrance of the duke of Alva, Elizabeth found herself obliged to deny the Flemish exiles all countenance, support, or even entrance into her dominions; and the Count le Marquis, with his few desperate followers, was expelled the kingdom. Happening to arrive at the Brille, and finding it weak in defence, they

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they made themselves masters of the place: and this was the foundation of the United Provinces.

‘ My Lords, this ruinous and ignominious situation, where we cannot act with success, nor suffer with honour, calls upon us to remonstrate in the strongest and loudest language of truth, to rescue the ear of Majesty from the delusions which surround it. The desperate state of our arms abroad is in part known: no man thinks more highly of them than I do: I love and honour the English troops: I know their virtues and their valour: I know they can achieve any thing except impossibilities; and I know that the conquest of English America *is an impossibility*. You cannot, I venture to say it, you CANNOT conquer America. Your armies last war effected every thing that could be effected; and what was it? It cost a numerous army, under the command of a most able general*, now a noble Lord in this house, a long and laborious campaign, to expel five thousand Frenchmen from French America. My Lords, *you cannot conquer*

* Sir Jeffery (now Lord) *Amberst*.

America.

America. What is your present situation there? We do not know the worst; but we know, that in three campaigns we have done nothing and suffered much. Besides the sufferings, perhaps *total loss*, of the Northern force*; the best appointed army that ever took the field commanded by Sir William Howe, has retired from the American lines; *he was obliged* to relinquish his attempt, and with great delay and danger, to adopt a new and distant plan of operations. We shall soon know, and in any event have reason to lament, what may have happened since. As to conquest, therefore, my Lords, I repeat, it is impossible.—You may swell every expence, and every effort, still more extravagantly; pile and accumulate every assistance you can buy or borrow; traffic and barter with every little pitiful German prince, that sells and sends his subjects to the shambles of a foreign prince; your efforts are for ever vain and impotent—doubly so from this mercenary aid on which you rely; for it irritates,

* General *Burgoyne's* army. The history of it is short—Most of its bravest officers fell; and about half its numbers; the REST surrendered to the enemy on the 17th of October, 1777. See the *Gazettes*.—The account of this *total loss*, as the noble speaker's prescience expressed it on the 18th of November, arrived in England in the beginning of December.

to an incurable resentment, the minds of your enemies---to over-run them with the mercenary sons of rapine and plunder; devoting them and their possessions to the rapacity of hireling cruelty! If I were an American, as I am an Englishman, while a foreign troop was landed in my country, I never would lay down my arms---never---never.

‘ Your own army is infected with the contagion of these illiberal allies. The spirit of plunder and of rapine is gone forth among them. I know it---and notwithstanding what the noble Earl *, who moved the address, has given as his opinion of our American army, I know from authentic information, and the *most experienced officers*, that our discipline is deeply wounded. Whilst this is notoriously our sinking situation, America grows and flourishes: whilst our strength and discipline are lowered, theirs are rising and improving.

‘ But, my Lords, who is the man, that in addition to these disgraces and mischiefs of

* Lord Percy.

our army, has dared to authorise and associate to our arms the tomahawk and scalping-knife of the savage? To call into civilized alliance, the wild and inhuman savage of the woods; to delegate to the merciless Indian, the defence of disputed rights, and to wage the horrors of his barbarous war against our brethren? My Lords, these enormities cry aloud for redress and punishment; unless thoroughly done away, it will be a stain on the national character---it is a violation of the Constitution---I believe it is against law. It is not the least of our national misfortunes, that the strength and character of our army are thus impaired; infected with the mercenary spirit of robbery and rapine---familiarized to the horrid scenes of savage cruelty, it can no longer boast of the noble and generous principles which dignify a soldier; no longer sympathize with the dignity of the royal banner, nor feel the pride, pomp, and circumstance of glorious war, "that make ambition virtue!" What makes ambition virtue?---the sense of honour. But is the sense of honour consistent with a spirit of plunder, or the practice of murder? Can it flow from mercenary motives, or can it prompt to cruel deeds? Be-

sides these murderers and plunderers, let me ask our Ministers, what other allies have they acquired? What *other powers* have they associated to their cause? Have they entered into alliance with the *king of the gypsies*? Nothing, my Lords, is too low or too ludicrous to be consistent with their counsels.

- The independent views of America have been stated and asserted as the foundation of this address. My Lords, no man wishes for the due dependence of America on this country more than I do. To preserve it, and not confirm that state of independence into which *your measures* hitherto have *driven* them, is the object which we ought to unite in attaining. The Americans, contending for their rights against the arbitrary exactions, I love and admire; it is the struggle of free and virtuous patriots: but contending for independency and total disconnection from England, as an Englishman, I cannot wish them success; for, in a due constitutional dependency, including the ancient supremacy of this country in regulating their commerce and navigation, consists the mutual happiness and prosperity both of England and America. She derived assistance

ance and protection from us ; and we reaped from her the most important advantages :---

She was, indeed, the fountain of our wealth, the nerve of our strength, the nursery and basis of our naval power. It is our duty, therefore, my Lords, if we wish to save our country, most seriously to endeavour the recovery of these most beneficial subjects : and in this perilous crisis, perhaps the present moment may be the only one in which we can hope for success : for in their negotiations with France, they have, or think they have, reason to complain : though it be notorious that they have received from that power, important supplies and assistance of various kinds, yet it is certain they expected it in a more decisive and immediate degree.

America is in ill humour with France, on some points that have not entirely answered her expectations : let us wisely take advantage of every possible moment of reconciliation. Besides, the natural disposition of America herself still leans towards England ; to the old habits of connection and mutual interest that united both countries. This *was* the established sentiment of all the Continent ; and still, my Lords, in the great and principal part, the sound part of America,

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this wise and affectionate disposition prevails; and there is a very considerable part of America yet sound---the middle and the southern provinces; some parts may be factious and blind to their true interests; but if we express a wise and benevolent disposition to communicate with them those immutable rights of nature, and those constitutional liberties, to which they are equally entitled with ourselves; by a conduct so just and humane; we shall confirm the favourable, and conciliate the adverse. I say, my Lords, the rights and liberties to which they are equally entitled, with ourselves, but no more. I would participate to them every enjoyment and freedom which the colonizing subjects of a free state can possess, or wish to possess; and I do not see why they should not enjoy every fundamental right in their property, and every original substantial liberty, which Devonshire or Surry, or the county I live in, or any other county in England, can claim; reserving always, as the sacred right of the mother country, the due constitutional dependency of the Colonies. The inherent supremacy of the state in regulating and protecting the navigation and commerce of all her subjects, is necessary
for

for the mutual benefit and preservation of every part, to constitute and preserve the prosperous arrangement of the whole empire.

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‘ The sound parts of America, of which I have spoken, must be sensible of these great truths, and of their real interests. America is not in that state of desperate and contemptible rebellion, which this country has been deluded to believe. It is not a wild and lawless banditti, who, having nothing to lose, might hope to snatch something from public convulsions; many of their leaders and great men have a great stake in this great contest:—the gentleman who conducts their armies, I am told, has an estate of four or five thousand pounds a year: and when I consider these things, I cannot but lament the inconsiderate violence of our penal acts, our declarations of treason and rebellion, with all the fatal effects of attainder and confiscation.

‘ As to the disposition of foreign powers, which is asserted to be pacific* and friendly,

* In the King’s Speech.

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let us judge, my Lords, rather by their actions and the nature of things, than by interested assertions. The uniform assistance, supplied to America by France, suggests a different conclusion;—The most important interests of France, in aggrandizing and enriching herself with what she most wants, supplies of every naval store from America, must inspire her with different sentiments. The extraordinary preparations of the House of Bourbon, by land and by sea, from Dunkirk to the Streights, equally ready and willing to overwhelm these defenceless islands, should rouse us to a sense of their real disposition, and our own danger. Not five thousand troops in England!—hardly three thousand in Ireland! What can we oppose to the combined force of our enemies?—Scarcely twenty ships of the line fully or sufficiently manned, that any Admiral's reputation would permit him to take the command of*.—The river of Lisbon in the possession

* In reply to the noble speaker's assertion, relative to the number of ships, &c. the first Lord of the Admiralty rose in his place, and gave their Lordships official assurance, "that thirty-five ships of the line were then (Nov. 18th, 1777) completely ready: that seven more would be ready in a few weeks; in all *forty-two*: and that an Admiral of the most acknowledged merit (he then said) and

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session of our enemies!—The seas swept by American privateers:—Our channel trade torn to pieces by them! In this complicated crisis of danger, weakness at home, and calamity abroad, terrified and insulted by the neighbouring powers,—unable to act in America, or acting only to be destroyed;—where is the man with the forehead to promise or hope for success in such a situation? or, from perseverance in the measures that have driven us to it? Who has the forehead to do so? Where is that man? I should be glad to see his face.

‘ You cannot *conciliate* America by your present measures—you cannot *subdue* her by your present, or by any measures. What, then, can you do? You cannot conquer, you cannot gain, but you can *address*;

and of the highest reputation, Admiral *Keppel*, was ready to take the command.”—In March, 1778, Admiral *Keppel* went to Portsmouth to take the command. He found “but *six ships* ready,” and those in ill condition.—See *Defence of Admiral Keppel*.—“On the 30th of June, twenty ships of the line were ready, with which Admiral *Keppel* sailed. Thirty-two ships of the line then lay in Brest-water, besides an incredible number of frigates.” *Ibid.*—The English fleet were forced to return, from this vast superiority of the fleet of France.—“A first Lord of the Admiralty, if he does not take care always to have a fleet superior to both France and Spain, *deserves to lose his head*.”—*Ld. Sandwich*,

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you can lull the fears and anxieties of the moment into an ignorance of the danger that should produce them. But, my Lords, the time demands the language of truth:— we must not now apply the flattering uncti^on of fervile compliance, or blind complaisance. In a just and necessary war, to maintain the rights or honour of my country, I would strip the shirt from my back to support it. But in such a war as this, unjust in its principle, impracticable in its means, and ruinous in its consequences, I would not contribute a single effort, nor a single shilling. I do not call for vengeance on the heads of those who have been guilty; I only recommend to them to make their retreat: let them walk off; and let them make haste, or they may be assured that speedy and condign punishment will over-take them.

‘ My Lords, I have submitted to you, with the freedom and truth which I think my duty, my sentiments on your present awful situation. I have laid before you the ruin of your power, the disgrace of your reputation, the pollution of your discipline, the contamination of your morals, the complication of calamities, foreign and domestic, that

that overwhelm your sinking country. Your dearest interests, your own liberties, the Constitution itself, totters to the foundation. All this disgraceful danger, this multitude of misery, is the monstrous offspring of this unnatural war. We have been deceived and deluded too long: let us now stop short: this is the crisis—may be the only * crisis, of time and situation, to give us a possibility of escape from the fatal effects of our delusions. But if in an obstinate and infatuated perseverance in folly, we slavishly echo the peremptory words this day presented to us, nothing can save this devoted country from complete and final ruin. We madly rush into multiplied miseries and “confusion worse confounded.”

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‘ Is it possible, can it be believed, that Ministers are yet blind to this impending destruction?—I did hope, that instead of this false and empty vanity, this over-weening pride, engendering high conceits, and

* It cannot have escaped observation, with what urgent anxiety the noble speaker has pressed this point throughout his speech: the critical necessity of *instantly* treating with America. But the warning voice was heard in vain: the *Address* triumphed: Parliament adjourned: Ministers enjoyed the festive recess of a long Christmas:—and America *ratified* her alliance with France.

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presumptuous imaginations—that Ministers would have humbled themselves in their errors, would have confessed and retracted them, and by an active, though a late repentance, have endeavoured to redeem them. But, my Lords, since they had neither sagacity to foresee, nor justice nor humanity to shun, these oppressive calamities; since, not even severe experience can make them feel, nor the imminent ruin of their country awaken them from their stupefaction, the guardian care of Parliament must interpose. I shall therefore, my Lords, propose to you an amendment to the address to his Majesty, to be inserted immediately after the two first paragraphs of congratulation on the birth of a Princess: to recommend an immediate cessation of hostilities, and the commencement of a treaty to restore peace and liberty to America, strength and happiness to England, security and permanent prosperity to both countries.—This my Lords, is yet in our power; and let not the wisdom and justice of your Lordships neglect the happy, and, perhaps the only opportunity. By the establishment of recoverable law, founded on mutual rights, and ascertained by treaty, these glorious enjoyments

ments may be firmly perpetuated. And let me repeat to your Lordships, that the strong bias of America, at least of the wise and founder parts of it, naturally inclines to this happy and Constitutional re-connection with you. Notwithstanding the temporary intrigues with France, we may still be assured of their ancient and confirmed partiality to us. America and France cannot be congenial; there is something decisive and confirmed in the honest American, that will not assimilate to the futility and levity of Frenchmen.

‘ My Lords, to encourage and confirm that innate inclination to this country, founded on every principle of affection, as well as consideration of interest—to restore that favourable disposition into a permanent and powerful re-union with this country—to revive the mutual strength of the empire;—again, to awe the House of Bourbon, instead of meanly truckling, as our present calamities compel us, to every insult of French caprice, and Spanish punctilio—to re-establish our commerce—to re-assert our rights and our honour—to confirm our interests, and renew our glories for ever (a
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consummation most devoutly to be endeavoured! and which, I trust, may yet arise from reconciliation with America)—I have the honour of submitting to you the following amendment; which I move to be inserted after the two first paragraphs of the address.’

His A-
mendment

“ And that this House does most humbly advise* and supplicate his Majesty, to be pleased to cause the most speedy and effectual measures to be taken, for restoring peace in America; and that no time may be lost in proposing an immediate cessation of hostilities there, in order to the opening a treaty for the final settlement of the tranquillity of these invaluable provinces, by a removal of the unhappy causes of this ruinous civil war; and by a just and adequate security against the return of the like calamities in times to come. And this House desire to offer the most dutiful assurances to his Majesty, that they will, in due time, chearfully co-operate with the magnanimity and tender goodness of his Majesty, for the preservation of his people, by such explicit and most solemn declarations, and provisions of fundamental and revocable laws, as may be judged necessary

fary for the ascertaining and fixing for ever the respective rights of Great Britain and her Colonies."

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The amendment was negatived.

In the course of the debate, Lord *Suffolk*, Secretary of State for the Northern department, undertook to defend the employment of the Indians in the war. His Lordship contended, that, besides its *policy* and *economy*, the measure was also allowable on *principle*; for that "it was perfectly justifiable to use all the means that *God and Nature* put into our hands."

'I AM ASTONISHED!' (exclaimed Lord *Chatham*, as he rose)—'shocked! to hear such principles confessed—to hear them avowed in this house, or in this country: principles equally unconstitutional, inhuman, and unchristian!'

Lord
Chatham's
Speech on
the em-
ployment
of Indians

'My Lords, I did not intend to have encroached again upon your attention; but I cannot repress my indignation—I feel myself impelled by every duty. My Lords, we are called upon as members of this House, as
men,

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men, as Christian-men, to protest against such notions standing near the throne, polluting the ear of Majesty. "That God and nature put into our hands." I know not what ideas that Lord may entertain of God and nature; but I know that such abominable principles are equally abhorrent to religion and humanity.—What! to attribute the sacred sanction of God and nature to the massacres of the Indian scalping knife—to the cannibal savage torturing, murdering, roasting, and eating; literally, my Lords, *eating* the mangled victims of his barbarous battles! Such horrible notions shock every precept of religion, divine or natural, and every generous feeling of humanity. And, my Lords, they shock every sentiment of honour; they shock me as a lover of honourable war, and a detester of murderous barbarity.

‘These abominable principles, and this more abominable avowal of them, demand the most decisive indignation. I call upon that *Right Reverend* Bench, those holy ministers of the gospel, and pious pastors of our church; I conjure them to join in the holy work, and vindicate the religion of
their

their God: I appeal to the wisdom and the law of *this learned Bench*, to defend and support the justice of their country: I call upon the Bishops, to interpose the unsullied sanctity of their lawn;—upon the learned Judges, to interpose the purity of their ermine, to save us from this pollution: I call upon the honour of your Lordships, to reverence the dignity of your ancestors, and to maintain your own: I call upon the spirit and humanity of my country, to vindicate the national character: I invoke the genius of the constitution. From the tapestry that adorns these walls, the immortal ancestor of this noble Lord* frowns with indignation at the disgrace of his country. In vain he led your victorious fleets against the boasted Armada of Spain; in vain he defended and established the honour, the liberties, the religion, the *Protestant religion*, of this country, against the arbitrary cruelties of Popery and the Inquisition, if these more than popish cruelties and inquisitorial practices are let loose among us; to turn forth into our

* Lord *Effingham*.—Lord *Effingham Howard* was Lord High Admiral of England against the Spanish armada; the destruction of which is represented in the tapestry.

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settlements, among our ancient connexions, friends, and relations, the merciless cannibal, thirsting for the blood of man, woman, and child! to send forth the infidel savage—against whom? against your Protestant brethren; to lay waste their country, to desolate their dwellings, and extirpate their race and name, with these horrible hell-hounds of savage war!—*hell-hounds, I say, of savage war.* Spain armed herself with blood-hounds to extirpate the wretched natives of America; and we improve on the inhuman example even of Spanish cruelty we turn loose these savage hell-hounds against our brethren and countrymen in America, of the same language, laws, liberties, and religion; endeared to us by every tie that should sanctify humanity.

‘My Lords, this awful subject, so important to our honour, our constitution, and our religion, demands the most solemn and effectual enquiry. And I again call upon your Lordships, and the united powers of the state, to examine it thoroughly and decisively, and to stamp upon it an indelible stigma of the public abhorrence. And I again implore those holy prelates of our religion,

ligion, to do away these iniquities from among us. Let them perform a lustration; let them purify this House, and this country, from this sin.

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‘ My Lords, I am old and weak, and at present unable to say more; but my feelings and indignation were too strong to have said less. I could not have slept this night in my bed, nor reposed my head on my pillow, without giving this vent to my eternal abhorrence of such preposterous and enormous principles;

This speech had no effect; The Address was agreed to.

On the 2d day of December 1777, the duke of *Richmond* moved for the returns of the army and navy in Ireland and America. Upon this occasion, Lord *Chatham* said,

‘ I most cheerfully testify my approbation of the motions now made by the noble Duke; and am firmly persuaded, that they have originated in the most exalted motives; nor am I less pleased with the very candid reception they have met with from your

On the
returns of
the army.

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Lordships. I think they will draw forth a great mass of useful information; but as to those respecting the state of our military strength, there appears something yet wanting to render them complete. Nothing has been offered which may lead to inform us of the actual state of the garrisons of Gibraltar and Minorca, those two very important fortresses, which have hitherto enabled us to maintain our superiority in the Mediterranean, and one of them (Gibraltar) situated on the very continent of Spain, the best proof of our naval power, and the only solid check on that of the House of Bourbon; yet those two important fortresses are left to chance, and the pacific dispositions of France and Spain, as the only protection; we hold them but by sufferance. I know them to be in a defenceless state. None of your Lordships are ignorant that we lost Mahon at the commencement of the last war. It was indeed a fatal disaster, as it exposed the trade and commerce of the Mediterranean to the ravages of our inveterate and then powerful enemies. My Lords, such was the light the acquisition of that fortress was looked upon when it was first taken, that the Duke of *Marlborough*, who was no great penman, but

but who employed a secretary to draw up his dispatches, in answer to the letter from the able general and consummate statesman who conquered it (the father of my noble relation now in my eye, Earl *Stanhope*) trusted the dispatch to the secretary, but added a postscript in his own hand-writing, where he recommended particularly to the victorious general, by no means to neglect putting that fortress in the best possible state of defence, and to garrison it with natives, and not foreigners. When I had the honour, soon after it fell into the hands of the French, to be called into the councils of the late King, I never lost sight of that circumstance. Gibraltar still remained in our hands; and the war in Germany, which Parliament thought fit to engage in, and bind themselves to, before I came into office; though we were carrying on the most extensive operations in America; though the coast of Africa, and the West India islands, required a suitable force to protect them; and though these kingdoms called for a proportionate army, not only to act defensively, but offensively on the coasts of our enemies; notwithstanding all those pressing services, my Lords, having the counsel of that great

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man constantly in view, it determined me, that whatever demands, or how much soever such troops might be wanting elsewhere, that Gibraltar should never want a full and adequate defence. I never had, my Lords, less than eight battalions to defend it. I think a battalion was then about eight hundred strong. So that, my Lords, I affirm that Gibraltar was never trusted to a garrison of less than six thousand men. My Lords, this force was, as it were, locked up in that fortress during the whole of the late war; nor could any appearance of the most urgent necessity induce me to weaken it. My Lords, I know that the very weak and defenceless state of these islands does not seem to admit of any troops being spared from the home defence; but, my Lords, give me leave to say, that whatever reluctance or disgust there may have appeared in several veteran and able Generals to the service, where the tomahawk and scalping knife were to be the warlike instruments employed as the engines of destruction, I am convinced there are many, some of whom I have in my eye [supposed to mean Lords Townshend and Amherst] who would with ardour and alacrity, accept of any command, where
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the true honour, interest, and safety of their country were concerned. My Lords, the moment is arrived when this spirit should be exerted. Gibraltar is garrisoned by Hanoverians. I am told, if any accident should happen to the present commanding officer there, that the care of the fortress, and the command of the troops, would devolve on a foreigner. I do not recollect his name, but this is my information; and if I do not hear it contradicted, I must take it for granted. I am well authorised to say, my Lords, that such is the present defenceless state of Gibraltar, that there is not a second relief in case of an attack; not men sufficient to man the works, while those fatigued with service and watching, go to refresh, eat, or sleep; though Germany and the wilds of America have been ransacked for the purpose.

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‘ My Lords, we should not want men in a good cause; and nothing ought to be left untried to procure them. I remember, soon after the period I shall take the liberty to remind your Lordships of, after an unnatural rebellion had been extinguished in the northern part of this island, men not fighting for liberty, or the constitution of their coun-

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try, but professedly to annihilate both, as advocates for popery, slavery, and arbitrary power; not like our brethren in America, Whigs in principle, and heroes in conduct: I remember, I say, my Lords, that I employed these very rebels in the service and defence of their country. They were reclaimed by this means; they fought our battles; they cheerfully bled in defence of those liberties which they attempted to overthrow but a few years before. What, then, does your Lordships imagine would be the effect of a similar conduct towards the Whigs and freemen of America, whom you call rebels? Would it not, think you, operate in like manner? They would fight your battles; they would cheerfully bleed for you; they would render you superior to all your foreign enemies; they would bear your arms triumphant to every quarter of the globe. You have, I fear, lost the affection, the good will of this people, by employing mercenary Germans to butcher them; by spiring up the savages of America to scalp them with the tomahawk. My Lords, I would have you consider, should this war be pushed to extremities, the possible consequences. It is no farther from America to England than
from

from England to America. If conquest is to be the issue, we must trust to that issue, and fairly abide by it.

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‘ The noble Earl at the head of the Admiralty, the last night I had the honour to address your Lordships, contradicted me when I asserted we had not above twenty ships of the line fit to proceed to sea (on actual service) at a short warning. I again repeat the assertion, though I gave it up at that time, on account of the plausibility and confidence with which the fact was asserted. I now say, there are not above twenty ships of the line, on which any naval officer of eminence and skill in his profession would stake his credit. The noble Earl in office said, there were thirty-five ships of the line fit for sea; but acknowledged, that there was a deficiency of near three thousand of the complements necessary to proceed upon actual service. How did the noble Earl propose to fill up that deficiency?—By supernumeraries, by transfers, by recruits, &c. Will the noble Earl say, that twenty-one thousand is a full war complement for thirty-five ships of the line? or will he undertake to assure this House (even allowing for those odds and ends)

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ends) that the ships will be properly manned by the numbers now actually on board? But if every particular fact, stated by the noble Earl, be precisely as he would persuade your Lordships to believe; will his Lordship pretend to affirm, that thirty-five ships of the line, or even forty-two (the highest that his Lordship ventured to go) would, in case of a rupture with the House of Bourbon, be sufficient for all the purposes of offence, defence and protection? I am sure his Lordship will not. A fleet in the Channel; one in the Western sea; another in the West Indies; and one in the Mediterranean; besides convoys and cruizers, to protect our commerce and annoy our enemies. I say, my Lords, that thirty-five ships of the line would be necessary for the protection of our trade and fortresses in the Mediterranean alone. We must be equal to the combined force of France and Spain in that sea, or we need not send a single ship there. Ships must be stationed to command respect from the powers on the coast of Barbary, and to prevent their piracies on our merchant vessels. We must have a superior fleet in the Western sea likewise, and we must have one in the

Channel

Channel equal to the defence of our own coast.

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‘These were the ideas which prevailed, when I had the honour of assisting in the British councils, and at all other preceding periods of naval hostility since the Revolution. My Lords, if Lord *Anson* was capable of the high office the noble Earl now presides in, the noble Earl is certainly mistaken in saying, that thirty-five or fifty-five ships of the line are equal to the several services now enumerated. That great naval commander gave in a list, at one time, of eighty-four thousand seamen actually on the books. It is well worthy your Lordship’s inquiry, to know what are the present number. The motion made by the noble Duke leads to that inquiry, and meets my warmest approbation; but that we may have every necessary information, I recommend to my noble friend to amend his motion by extending it to Gibraltar and Mahon. I do not wish to have any thing disclosed at present, which may tend to expose the weak state of those fortresses; but I think it incumbent on your Lordships to learn their strength, in point of numbers of men; and to know how

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how the fact stands, relative to the possibility of the command of Gibraltar devolving on a foreigner, in case of any accident happening to the officer who now commands there.'

The motion was agreed to.

On the
capture of
General
Burgoyne's
army.

On the fifth day of December, in consequence of intelligence having arrived of the capture of General *Burgoyne's* army, Lord *Chatham* went to the House of Lords to make a motion upon that subject, which he introduced with remarking, 'That the King's speech at the opening of the session conveyed a general information of the measures intended to be pursued; and looked forward to the probable occurrences which might be supposed to happen. He had that speech now in his hand, and a deep sense of the public calamity in his heart. They would both co-operate to enforce and justify the measure he meant to propose. He was sorry to say, the speech contained a very unfaithful picture of the state of public affairs. This assertion was unquestionable; not a noble Lord in Administration would dare rise, and even so much as controvert the

the fact. The speech held out a specious outside---was full of hopes; yet it was manifest, that every thing within and without, foreign and domestic, was full of danger, and calculated to inspire the most melancholy forebodings. His Lordship hoped, that this sudden call for their Lordships' attention, would be imputed to its true motive, a desire of obtaining their assistance in such a season of difficulty and danger; a season in which, he would be bold to maintain, a single moment was not to be lost. It was customary, he said, for that House to offer an address of condolance to his Majesty upon any public misfortune, as well as one of congratulation, on any public success. If this was the usage of Parliament, he never recollected a period, at which, such an address became more seasonable or necessary than at present. If what was acknowledged in the other House was true, he was astonished, that some public notice was not taken of the sad, the melancholy disaster.---The report was, the fact was acknowledged by persons in high authority, [Lords *Germain* and *North*] that General *Burgoyne* and his army were surrounded, and obliged to surrender themselves prisoners of war to
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the Provincials. He should take the account of this calamitous event, as now stated, and argue upon it as a matter universally allowed to be true. He then lamented the fate of Mr. *Burgoyne* in the most pathetic terms; and said, that gentleman's character, the glory of the British arms, and the dearest interests of this undone, disgraced country had been all sacrificed to the ignorance, temerity, and incapacity of Ministers. Appearances, he observed, were indeed dreadful; he was not sufficiently informed to decide on the extent of the numerous evils with which we were surrounded; but they were clearly sufficient to give just cause of alarm to the most confident or callous heart. He spoke with great candour of General *Burgoyne*: he might, or might not, be an able officer; but by every thing he could learn, his fate was not proportioned to his merit: he might have received orders it was not in his power to execute. Neither should he condemn Ministers; they might have instructed him wisely; he might have executed his instructions faithfully and judiciously, and yet he might have miscarried. There are many events which the greatest human foresight cannot provide against; it was on
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that ground, therefore, he meant to frame his motion. The fact was acknowledged; the General had miscarried. It might not have been his fault; it might not be that of his employers or instructors. To know where the fault lay, he was desirous of having the orders given to General *Burgoyne*, laid before the House. So much of the plan at home, had, however, transpired, as justified him in affirming that the measures were founded in weakness, barbarity and inhumanity. Savages had been employed to carry ruin and devastation among our subjects in America. The tomahawk and scalping-knife were put into the hands of the most brutal and ferocious of the human species. Was this honourable war? Was it the means which God and Nature [alluding to what had fallen from Lord *Suffolk* on the opening of the session] put into the hands of Englishmen, to assert their rights over our colonies, and to procure their obedience, and conciliate their affection?—His Lordship spoke in the most pointed terms of the system introduced within the last fifteen years at St. James's: of breaking all public and family connection, of extinguishing all public and private principle. A few men had

got

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got an ascendancy, where no man should have a personal ascendancy; by the executive powers of the State being at their command, they had been furnished with the means of creating divisions. This brought pliable men, not capable men, into the highest and most responsible situations; and to such men was the government of this once glorious empire now entrusted. The spirit of delusion had gone forth; the Ministers had imposed on the people; Parliament had been induced to sanctify the imposition; false lights had been held out to the country gentlemen: they had been seduced into the support of a most destructive war, under the impression, that the Land Tax would be diminished, by the means of an American revenue. The visionary phantom, thus conjured up for the basest of all purposes, that of deception, was now about to vanish. He condemned the contents of the speech in the bitterest terms of reproach. He said it abounded with absurdity and contradiction. In one part it recommended vigorous measures, pointing to conquest, or unconditional submission; while in another, it pretended to say, that peace was the real object, as soon as the deluded multitude should

should return to their allegiance. This, his Lordship contended, was the grossest and most insolent delusion. It was by this strange mixture of firmness, and pretended candour, of cruelty and mercy, justice and iniquity, that this infatuated nation had been all along misled.

His Lordship returned to the situation of General *Burgoyne*, and paid him, indeed, very high compliments. He said, his abilities were confessed; his personal bravery not surpassed; his zeal in the service unquestionable. He experienced no pestilence, nor suffered any of the accidents which sometimes supersede the most wise and spirited exertions of human industry. What then, says his Lordship, is the great cause of his misfortune? Want of wisdom in our Council, want of ability in our Ministers. His Lordship laid the whole blame on Ministers: it was their duty to shield that ill-treated officer from the temporary obloquy he must suffer under, till he had an opportunity to justify himself in person. His motion bore no personal relation to the conduct of that able, but abused officer; it was meant to be solely pointed to draw forth

those instructions, which were the cause of his defeat and captivity. General *Burgoyne* was subject to the events of war; so was every other man who bore a command in time of war; for his part, when he was in office, he never attempted to cover his own incapacity, by throwing the blame on others; on the contrary, he gave them every support and becoming countenance in his power.

‘ His Lordship condemned the plan of operations, which he insisted was sent from hence; that of penetrating into the Colonies from Canada. It was a most wild, uncombined, and mad project; it was full of difficulty; and though success had declared in our favour, would have been a wanton waste of blood and treasure. He next animadverted on the mode of carrying on the war, which he said was the most bloody, barbarous, and ferocious, recorded in the annals of mankind. He contrasted the fame and renown we gained the last war with the feats and disgraces of the present; then, he said, we arrived at the highest pinnacle of glory; now we had sullied and tarnished the arms of Britain for ever, by employing savages

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in our service, by drawing them up in a British line, and mixing the scalping-knife and tomahawk with the sword and firelock. The horror he felt was so great, that had it fallen to his lot to serve in an army where such cruelty was permitted, he believed in his conscience he would sooner mutiny than consent to serve with such barbarians. Such a mode of warfare was, in his opinion, a contamination, a pollution of our national character, a stigma which all the water of the rivers Delaware and Hudson would never wash away; it would rankle in the breast of America, and sink so deep into it, that he was almost certain they would never forget nor forgive the horrid injury.

‘ His Lordship observed, that similar instructions relative to the Indians had been imputed to him. He disclaimed the least recollection of having given any such instructions; and in order to ascertain the matter, so as to remove any ground of future altercation on the subject, he called upon Administration to produce the orders, if any such had been given.

‘ We had, he said, swept every corner of Germany for men: we had searched the darkest wilds of America for the scalping-knife. But those bloody measures being as weak as they were wicked, he recommended that instant orders might be sent to call home the first, and disband the other---indeed, to withdraw our troops entirely; for peace, he was certain, would never be effected, as long as the German bayonet and Indian scalping-knife were threatened to be buried in the bowels of our American brethren. Such an expectation was absurd, mad, and foolish. The Colonies must consider us as friends, before they will ever consent to treat with us: a formal acknowledgment of our errors, and a renunciation of our unjust, ill-founded, and oppressive claims, must precede every the least attempt to conciliate. He declared himself an avowed enemy to American independency. He was a Whig; and though he utterly from his heart abhorred the system of government endeavoured to be carried into execution in America, he as earnestly and zealously contended for a Whig government, and a Whig connection between both countries, founded

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in a constitutional dependence and subordination.

• His Lordship recurred to the melancholy momentous situation of public affairs in general. He said, America was lost, even by the accounts which Administration in the Gazette had thought proper to impart. General *Washington* proved himself three times an abler general than Sir *William Howe*; for, with a force much inferior in number, and infinitely inferior in every other respect, as asserted from an authority not to be questioned (Lord *Germaine*) he had been able to baffle every attempt of ours, and left us in such a situation, that if not assisted by our fleet, our troops in the neighbourhood of Philadelphia must probably share the same unhappy fate with those under General *Burgoyne*. He condemned the motives of the war in the most pointed and energetic expressions, and the conduct of it in still stronger; and compared the situation of this country to that brought on his dominions by the Duke of *Burgundy*, surnamed the Bold.---A Prince of the House of Savoy had his property seized by him; the injured Prince would not submit; war was

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determined on; and the object strongly resembled the paltry pretence on which we had armed, and had carried fire, sword, and devastation, through every corner of America. The seizure was about a cargo of skins; he would have them, but the Prince of Saumur would not submit. The Duke was conjured not to go to war; but he persisted; "he was determined steadily to pursue the same measures:" he marched against "the deluded multitude:" but at last gave one instance of his magnanimity, by imputing his misfortunes to his own obstinacy; "because," said he, "this was owing to my not submitting to be well advised." The case of the Duke of *Burgundy* was applicable to England. Ministers had undertaken a rash enterprize, without wisdom to plan, or ability to execute.

What had occasioned since last war, the rise in the value of English estates? America, which he now feared was for ever lost. She had been the great support of this country; she had produced millions; she afforded soldiers and sailors; she had given our manufacturers employment, and enriched our merchants. The gentlemen of landed property

perty would probably feel this; for, when commerce fails, when new burdens are incurred, when the means by which those burdens were lightened are no more, the land owner will feel the double pressure of heavy taxes: he will find them doubled in the first instance, and his rents proportionably decreased. But what had we sacrificed all those advantages for? In pursuit of a pepper-corn! And how did we treat America? Petitions rejected—complaints unanswered—dutiful representations treated with contempt—an attempt to establish despotism on the ruins of constitutional liberty—measures to enforce taxation by the point of the sword. Ministers had insidiously betrayed us into a war; and what were the fruits of it? Let the sad catastrophe which had befallen Mr. *Burgoyne* speak the success.

‘ In the course of his speech, he adverted to the language and Tory doctrine held in print, and in that house, by a most reverend Prelate: and, he trusted, he should yet see the day, when those pernicious doctrines would be deemed libellous, and treated as such. They were the doctrines of *Atterbury* and *Sacheverel*. As a Whig, he should never

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endure them; and doubted not, the author or authors would suffer that degree of censure and punishment they were justly entitled to.

‘ After recommending measures of peace instead of measures of blood, and promising to co-operate in every measure that might promise to put a stop to the effusion of the one, and to promote the other, which might still prove the means of once more uniting our Colonies to us, his Lordship moved, “ That an humble Address be presented to his Majesty, most humbly beseeching his Majesty that he will be graciously pleased to order the proper officers to lay before this House copies of all orders and instructions to Lieutenant General *Burgoyne* relative to that part of his Majesty’s forces in America under his command.’

His Motion on the employment of the Indians.

The motion was negatived. After which Lord *Chatham* moved, “ That an humble address be presented to his Majesty, most humbly beseeching his Majesty that he would be graciously pleased to order the proper officers to lay before this House all orders and treaties relative to the employment

ment of Indians in conjunction with the British troops against the inhabitants of the British Colonies in North America, with a copy of the instructions given by General *Burgoyne* to Colonel *St. Leger*."

Lord *Gower* having opposed this motion with vehemence and acrimony, Lord *Chatham* rose, 'and reproached the noble Lord with petulance and malignant misrepresentation. He denied that Indians had ever been employed by him; they might have crept into the service, from the utility which the officers found in them when they were engaged in some particular enterprises in unexplored places; but they were never employed by the late King (GEORGE II.) who, he said had too much regard for the military dignity of his people, and also too much humanity, to agree to such a proposal, had it ever been made to him. And he called upon Lord *Amherst* to declare the truth.'

Lord *Amherst* reluctantly owned, that Indians had been employed on both sides; the French employed them first, he said, and we followed the example.

On

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On the 11th day of December 1777, a motion was made to adjourn to the 20th of January 1778. This long adjournment was opposed by Lord *Chatham*. He said,

His speech
against the
motion to
adjourn.

‘ It is not with less grief than astonishment I hear the motion now made by the noble Earl, at a time when the affairs of this country present, on every side, prospects full of awe, terror, and impending danger; when, I will be bold to say, events of a most alarming tendency, little expected or foreseen, will shortly happen; when a cloud, that may crush this nation, and bury it in destruction for ever, is ready to burst and overwhelm us in ruin. At so tremendous a season, it does not become your Lordships, the great hereditary council of the nation, to neglect your duty; to retire to your country seats for six weeks, in quest of joy and merriment, while the real state of public affairs calls for grief, mourning, and lamentation, at least, for the fullest exertions of your wisdom. It is your duty, my Lords, as the grand hereditary council of the nation, to advise your Sovereign—to be the protectors of your country—to feel your own weight and authority. As
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hereditary counsellors, as members of this house, you stand between the crown and the people; you are nearer the throne than the other branch of the legislature, it is your duty to surround and protect, to counsel and supplicate it; you hold the balance, your duty is to see that the weights are properly poised, that the balance remains even, that neither may encroach on the other; and that the executive power may be prevented, by an unconstitutional exertion of even constitutional authority, from bringing the nation to destruction. My Lords, I fear we are arrived at the very brink of that state; and I am persuaded, that nothing short of a spirited interposition on your part, in giving speedy and wholesome advice to your Sovereign, can prevent the people from feeling beyond remedy the full effects of that ruin which Ministers have brought upon us. These are the calamitous circumstances, Ministers have been the cause of; and shall we, in such a state of things, when every moment teems with events productive of the most fatal narratives—shall we trust, during an adjournment of six weeks, to those men who have brought those calamities upon us, when, perhaps, our utter overthrow

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throw is plotting, nay, ripe for execution, without almost a possibility of prevention? Ten thousand brave men have fallen victims to ignorance and rashness. The only army you have in America may, by this time, be no more. This very nation remains no longer safe than its enemies think proper to permit. I do not augur ill. Events of a most critical nature may take place before our next meeting. Will your Lordships, then, in such a state of things, trust to the guidance of men, who, in every single step of this cruel, this wicked war, from the very beginning, have proved themselves weak, ignorant, and mistaken? I will not say, my Lords, nor do I mean any thing personal, or that they have brought premeditated ruin on this country. I will not suppose that they foresaw what has since happened; but I do contend, my Lords, that their guilt (I will not suppose it guilt), but their want of wisdom, their incapacity, their temerity in depending on their own judgment, or their base compliances with the orders and dictates of others, perhaps caused by the influence of one or two individuals, have rendered them totally unworthy of your Lordships' confidence, of the confidence
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of Parliament, and of those whose rights they are the constitutional guardians of, the people at large. A remonstrance, my Lords, should be carried to the throne. The King has been deluded by his Ministers. They have been imposed upon by false information, or have, from motives best known to themselves, given apparent credit to what they were convinced in their hearts was untrue. The nation has been betrayed into the ruinous measure of an American war, by the arts of imposition, by their own credulity, through the means of false hopes, false pride, and promised advantages, of the most romantic and improbable nature. My Lords, I do not wish to call your attention entirely to that point. I would fairly appeal to your own sentiments, whether I can be justly charged with arrogance or presumption, if I said, great and able as Ministers think themselves, that all the wisdom of the nation is confined to the narrow circle of the petty cabinet. I might, I think, without presumption, say, that your Lordships, as one of the branches of the legislature, may be as capable of advising your Sovereign, in the moment of difficulty and danger, as any lesser council, composed of
a fewer

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a fewer number; and who, being already so fatally trusted, have betrayed a want of honesty, or a want of talents. Is it, my Lords, within the utmost stretch of the most sanguine expectation, that the same men who have plunged you into your present perilous and calamitous situation, are the proper persons to rescue you from it? No, my Lords, such an expectation would be preposterous and absurd. I say, my Lords, you are now specially called upon to interpose. It is your duty to forego every call of business and pleasure; to give up your whole time to inquire into past misconduct; to provide remedies for the present; to prevent future evils; to *rest on your arms*, if I may use the expression, to watch for the public safety; to defend and support the throne; and, if fate should so ordain it, to fall with becoming fortitude with the rest of your fellow-subjects in the general ruin. I fear this last must be the event of this mad, unjust, and cruel war. It is your Lordships duty to do every thing in your power that it shall not; but, if it must be so, I trust your Lordships and the nation will fall gloriously.

‘ My

My Lords, as the first and most immediate object of your enquiry, I would recommend to you to consider the true state of our home defence. We have heard much from a noble Lord in this House, of the state of our navy. I cannot give an implicit belief to what I have heard on that important subject. I still retain my former opinion relative to the number of line of battle ships; but as an enquiry into the real state of the navy is destined to be the subject of a future consideration, I do not wish to hear more about it, till that period arrives. I allow, in argument, that we have thirty-five ships of the line fit for actual service. I doubt much whether such a force would give us a full command of the Channel. I am certain, if it did, every other part of our possessions must lie naked and defenceless, in every quarter of the globe. I fear our utter destruction is at hand. [Here and in many other parts of his speech, his Lordship broadly hinted, that the House of Bourbon was meditating some important and decisive blow near home.] What, my Lords, is the state of our military defence? I would not wish to expose our present weakness; but weak as we are, if this war should be continued,

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tinued, as the public declaration of persons in high confidence with their Sovereign would induce us to suppose, is this nation to be entirely stripped? And if it should, would every soldier now in Britain be sufficient to give us an equality to the force in America? I will maintain they would not. Where, then, will men be procured? Recruits are not to be had in this country. Germany will give no more. I have read in the newspapers of this day, and I have reason to believe it to be true, that the head of the Germanic body has remonstrated against it, and has taken measures accordingly to prevent it. Ministers have, I hear, applied to the Swiss Cantons. The idea is preposterous! The Swiss never permit their troops to go beyond sea. But, my Lords, if even men were to be procured in Germany, how will you march them to the water-side? Have not our Ministers applied for the port of Embden, and has it not been refused? I say, you will not be able to procure men even for your home-defence, if some immediate steps be not taken. I remember during the last war, it was thought adviseable to levy independent companies: they were, when completed, formed into batta-

battalions, and proved of great service. I ^{CHAP.} ^{XLIV.} love the army, I know its use; but I must ^{1777.} nevertheless own, that I was a great friend to the measure of establishing a national militia. I remember the last war, that there were three camps formed of that corps, at once in this kingdom. I saw them myself; one at Winchester, another in the West at Plymouth; and a third, if I recollect right, at Chatham. [Told he was right]. Whether the militia is at present in such a state as to answer the valuable purposes it did then, or is capable of being rendered so, I will not pretend to say; but I see no reason, why in such a critical state of affairs, the experiment should not be made; and why it may not be put again on the former respectable footing. I remember, all the circumstances considered, when appearances were not nearly so melancholy and alarming as they now are, that there were more troops in the county of Kent alone, for the defence of that County, than there are now in the whole island.

‘ My Lords, I contend, that we have not, nor can procure, any force sufficient to subdue America. It is monstrous to think of it.

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There are several noble Lords present, well acquainted with military affairs. I call upon any one of them to rise and pledge himself, that the military force now within the kingdom is adequate to its defence, or that any possible force to be procured from Germany, Switzerland, or elsewhere, will be equal to the conquest of America. I am too perfectly persuaded of their abilities and integrity, to expect any such assurance from them. Oh! but if America is not to be conquered, she is to be treated with. Conciliation is at length thought of; terms are to be offered. Who are the persons that are to treat on the part of this afflicted and deluded country? The very men who have been the authors of our misfortunes; the very men who have endeavoured, by the most pernicious policy, the highest injustice and oppression, the most cruel and devastating war, to enslave those people; they would conciliate to gain the confidence and affection of those, who have survived the Indian tomahawk, and the German bayonet. Can your Lordships entertain the most distant prospect of success from such a treaty, and such negotiators? No, my Lords, the Americans have virtue, and they must detest the principles of

of such men; they have understanding, and too much wisdom, to trust to the cunning and narrow politics which must cause such overtures on the part of their merciless persecutors. My Lords, I maintain, that they would shun, with a mixture of prudence and detestation, any proposition coming from that quarter. They would receive terms from such men, as snares to allure and betray. They would dread them as ropes, meant to be put about their legs to entangle and overthrow them in certain ruin.

My Lords, supposing that our domestic danger, if at all, is far distant; that our enemies will leave us at liberty to prosecute this war with the utmost of our ability; suppose your Lordships should grant a fleet one day, an army another; all these, I do affirm, will avail nothing, unless you accompany it with advice. Ministers have been in error; experience has proved it; and what is worse, they continue in it. They told you in the beginning, that 15,000 men would traverse America, without scarcely the appearance of interruption; two campaigns have passed since they gave us this assurance. Treble that number has been employed; and one

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of your armies, which composed two-thirds of the force by which America was to be subdued, has been totally destroyed, and is now led captive through those provinces you call rebellious. Those men whom you called cowards, paltroons, runaways, and knaves, are become victorious over your veteran troops; and in the midst of victory, and flush of conquest, have set Ministers the example of moderation and of magnanimity worthy imitation.

‘ My Lords, no time should be lost which may promise to improve this disposition in America; unless, by an obstinacy founded in madness, we wish to stifle those embers of affection which, after all our savage treatment, do not seem as yet to have been entirely extinguished. While on one side we must lament the unhappy fate of that spirited officer, Mr. *Burgoyne*, and the gallant troops under his command, who were sacrificed to the wanton temerity and ignorance of Ministers, we are as strongly impelled on the other to admire and applaud the generous, magnanimous conduct, the noble friendship, brotherly affection and humanity of the victors, who condescending to impute the

the horrid orders of massacre and devastation to their true authors, supposed, that as soldiers and Englishmen, those cruel excesses could not have originated with the General, nor were consonant to the brave and humane spirit of a British soldier, if not compelled to it as an act of duty. They traced the first cause of those diabolical orders to their source; and, by that wise and generous interpretation, granted their professed destroyers terms of capitulation, which they could be only entitled to as the makers of fair and honourable war.

My Lords, I should not have presumed to trouble you, if the tremendous state of this nation did not, in my opinion, make it necessary. Such as I have this day described it to be, I do maintain it is. The same measures are still persisted in; and Ministers, because your Lordships have been deluded, deceived and misled, presume, that whenever the worst comes, they will be enabled to shelter themselves behind Parliament. This, my Lords, cannot be the case: they have committed themselves and their measures to the fate of war, and they must abide the issue. I tremble for this country; I am

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almost

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almost led to despair, that we shall ever be able to extricate ourselves. Whether or not, the day of retribution is at hand, when the vengeance of a much injured and afflicted people will, I trust, fall heavily on the authors of their ruin; and I am strongly inclined to believe, that before the day to which the proposed adjournment shall arrive, the noble Earl who moved it will have just cause to repent of his motion.'

The motion of adjournment was agreed to.

CHAP.

C H A P. XLV.

Lord Chatham's zeal and anxiety respecting America—His last Speech in Parliament—His last plan to preserve America—His sudden illness in the House of Lords.

NOTWITHSTANDING a negative had been put upon every proposition and motion made by Lord Chatham, concerning America, yet he resolved to persevere in the same line of conduct. To his zeal in this cause he sacrificed his life. He had not strength of constitution sufficient to bear the exertions he made. He was now advanced in the seventieth year of his age; had for many years suffered the severest pains of the gout; but possessing talents superior to most men, he felt with the sharpest sensibility, the progress of events, which passed with indifference before the eyes of other men, who had not his penetration; although debilitated by infirmity, and enervated by anguish of body and mind, still he refused to yield to the calls of his disorder, or to mitigate his torture, by the

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indulgence of a bed—while his country was bleeding at every pore, he felt for her, not for himself. Her honour and splendour had been his glory and his pride—her debasement and adversity were now the only subjects of his concern and anxiety*.

His last
Speech
in Parlia-
ment.

On the 7th day of April 1778, the Duke of *Richmond* having moved to present an Address to the King on the subject of the state of the nation, in which *the necessity of admitting the Independence of America was insinuated*, Lord *Chatham* rose to speak again on this subject.

‘ He began by lamenting that his bodily infirmities had so long, and especially at so important a crisis, prevented his attendance on the duties of Parliament. He declared that he had made an effort almost beyond the powers of his constitution to come down to the House on this day (perhaps the last time he should ever be able to enter its walls) to

* At, or near, the beginning of this year, a very extraordinary negotiation was attempted to be opened with Lord Chatham, through the Channels of Sir James Wright and Dr. Addington; the particulars of which the reader will find in the Appendix A A.

express

express the indignation he felt at an idea which he understood was gone forth, of yielding up the sovereignty of America!

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‘ My Lords, continued he, I rejoice that the grave has not closed upon me; that I am still alive to lift up my voice against the dismemberment of this ancient and most noble monarchy! Pressed down as I am by the hand of infirmity, I am little able to assist my country in this most perilous conjuncture; but, my Lords, while I have sense and memory, I will never consent to deprive the royal offspring of the House of Brunswick, the heirs of the Princess Sophia, of their fairest inheritance. Where is the man that will dare to advise such a measure? My Lords, his Majesty succeeded to an empire as great in extent as its reputation was unfullied. Shall we tarnish the lustre of this nation by an ignominious surrender of its rights and fairest possessions? Shall this great kingdom, that has survived whole and entire the Danish depredations, the Scottish inroads, and the Norman conquest; that has stood the threatened invasion of the Spanish armada, now fall prostrate before the House of Bourbon? Surely, my Lords, this nation

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is no longer what it was! Shall a people, that seventeen years ago was the terror of the world, now stoop so low as to tell its ancient inveterate enemy, take all we have, only give us peace? It is impossible!

‘ I wage war with no man, or set of men. I wish for none of their employments; nor would I co-operate with men who still persist in unretracted error; or who, instead of acting on a firm decisive line of conduct, halt between two opinions, where there is no middle path. In God’s name, if it is absolutely necessary, to declare either for peace or war, and the former cannot be preserved with honour, why is not the latter commenced without hesitation? I am not, I confess, well informed of the resources of this kingdom; but I trust it has still sufficient to maintain its just rights, though I know them not.—But, my Lords, any state is better than despair. Let us at least make one effort; and if we must fall, let us fall like men!’

When his Lordship sat down, Lord *Temple* said to him, “ You have forgot to mention what we have been talking about—
Shall

Shall I get up?" Lord *Chatham* replied, "No, no; I will do it by and by."

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The conversation to which Lord *Temple* alluded, related to the principle features of a plan, which Lord *Chatham* had formed with a view to effect the recovery of America. The first part of the plan was, to recommend to his Majesty, to take Duke *Ferdinand* of *Brunswick* immediately into his service. Lord *Chatham's* design in this measure, was to make an impression, upon France on the Continent, in order to prevent her sending that assistance to the Americans, which he knew the French Court had promised.—Another part of the plan was, to recommend a Treaty of Union with the Americans—that America should make peace and war in concert with Great Britain; that she should hoist the British flag, and use the King's name in her Courts of Justice. His ideas went no further in this conversation. But he conceived an opinion, that when America saw the impossibility of deriving any assistance from France, the Congress would accept of these terms.

Ld. Chatham's last plan to preserve America,

The

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The reader cannot but observe, that this plan is perfectly consonant with his Lordship's former plan, which proved so eminently successful in the late war—of conquering America by making a vigorous impression upon France in Europe. He saw, that a war with France was become unavoidable: therefore, with his usual penetration and spirit, he wished to commence that war immediately, upon his own principles. He detested that procrastination, which gave the enemy power, not only of chusing the period of his conveniency, but the first scenes of operation*.

His sudden
illness in
the House
of Lords,

The Duke of *Richmond* having spoken in answer to some parts of Lord *Chatham's*

* The war which France carried on in America in conjunction, with the United States, was infinitely more expensive and injurious to England, than a war against France in Europe, would have been. That this is not an assertion founded in conjecture, may be seen by comparing the charges of the German war, during the years 1758, 1759, 1760, and 1761, with the charges of the American war, during the years 1778, 1779, 1780, 1781—exclusive of the arrears at the conclusion of each war. See this point mentioned in Chap. XVI.—It was a saying of President *Henault*, author of the History of France, that if there had been a succession of such Ministers as the Duke of *Sully*, nothing could have withstood the power of France. In imitation of which, it may be said, with equal truth, that if there had been a succession of such Ministers as Lord *Chatham*, nothing could have withstood the power of Great Britain.

speech

speech, his Lordship attempted to rise, to reply to his Grace; but after two or three unsuccessful efforts to stand, he fainted and fell down on his seat. The Duke of *Cumberland*, Lord *Temple*, Lord *Stamford*, and the other Lords near him, caught him in their arms. The House was immediately cleared, and the windows were opened.—Dr. *Brocklesby* being in the House, his assistance was instantly obtained. His Lordship was carried into an adjoining room, and the House directly adjourned.

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This unhappy circumstance proved the melancholy prelude of his death. As soon as possible, his Lordship was conveyed to his favourite villa at Hayes in Kent; where he was attended by his confidential physician, Dr. *Addington*.

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Lord Chatham's Death—The conduct of Parliament upon that event—Some traits of his Character.

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Ld: Chatham's
death.

LORD CHATHAM's infirm and emaciated state of body baffled every effort that skill and medicine could afford. The exertions he had lately made, had exhausted his frame and constitution. He languished at Hayes until the eleventh day of May, 1778, when he died; to the sincere regret of every British subject, and of every person who had a just sense of human dignity and virtue. Such a man appears but seldom.—*Lord Chatham* was a man of such extraordinary talents, that he would have made a shining figure in any station. Had he continued in the army, there is no doubt he would have died at the head of his corps, or have advanced to the head of his profession. He was not born for subordination.

Intelligence

Intelligence of his death being sent to London, Colonel *Barre*, the moment he heard it, hastened to the House of Commons, who were then sitting, and communicated the melancholy information. Although it was an event, that had, in some measure, been expected for several days, yet the House were affected with the deepest sensibility. Even the adherents of the Court joined in the general sorrow, which was apparent in every countenance. The old Members indulged a fond remembrance of the energy and melody of his voice; his commanding eye, his graceful action. The new Members lamented, they should hear no more the precepts of his experience, nor feel the powers of his eloquence. A deep grief prevailed. The public loss was acknowledged on all sides. Every one bore testimony to the abilities and virtues of the deceased. On this occasion all appearance of party was extinguished. There was but one sense throughout the House.

Colonel *Barre* moved, "That an humble Address be presented to his Majesty, requesting that his Majesty will be graciously pleased to give directions that the remains of

William

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William Pitt, Earl of *Chatham*, be interred at the public expence; and that a monument be erected in the collegiate church of St. Peter, Westminster, to the memory of that great and excellent Statesman, and an inscription expressive of the sentiments of the people on so great and irreparable a loss; and to assure his Majesty that this House would make good the expence attending the same."

While this Motion was reading, Lord *North* came into the House, and as soon as he was informed of the business, he gave it his most hearty concurrence; lamenting that he had not come in sooner, that he might have had the honour to have made the motion himself.

The motion was agreed to unanimously.

On the thirteenth day of May Lord *North* assured the House, that his Majesty had readily agreed to their address, respecting the interment of the Earl of *Chatham*, and to the erection of a monument to his memory.

Lord *John Cavendish* said, that he hoped
the

the public gratitude would not stop here. As that invaluable man, had, whilst in the nation's service, neglected his own affairs, and though he had the greatest opportunity of enriching himself, had never made any provision for his family, he hoped an ample provision would be made for the descendants of so honest and able a Minister.

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Lord *North* coincided warmly in the noble Lord's wish; and Lord *Nugent*, Mr. *Fox*, Mr. *Montagu*, Mr. *Byng*, and several other Gentlemen, expressed the most sincere affection for the deceased Peer, and pronounced the highest eulogiums on his virtue and talents; adding, that he had neglected his private interests by directing his whole attention to national objects. Mr. *T. Townshend*, now Lord *Sydney*, moved, That an humble address be presented to the King, expressing the wishes of the House, that his Majesty would confer some signal and lasting mark of his royal favour on the family of the deceased Earl, and that whatever bounty he should think proper to bestow, the House would cheerfully make good the same. The motion was agreed to unanimously.

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On the twenty-first, Lord *North* delivered to the House the following message from the King.

GEORGE R.

“His Majesty having considered the Address of this House, that he will be graciously pleased to confer some signal and lasting mark of his royal favour on the family of the late *William Pitt*, Earl of *Chatham* and being desirous to comply as speedily as possible with the request of his faithful Commons, has given directions for granting to the present Earl of *Chatham*, and to the heirs of the body of the late *William Pitt*, to whom the Earldom of *Chatham* may descend, an annuity of four thousand pounds per annum, payable out of the Civil List revenue; but his Majesty not having it in his power to extend the effect of the said grant beyond the term of his own life, recommends it to the House to consider of a proper method of extending, securing and annexing the same to the Earldom of *Chatham* in such a manner as shall be most effectual for the benefit of the family of the said *William Pitt*, Earl of *Chatham*.”

GEORGE R.

The

The message was referred to the Committee of Supply; it was unanimously agreed to; upon which a Bill was brought in, and it passed unanimously also.

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On the twenty second day of May, the House agreed to present another Address to the King, requesting his Majesty to give orders, that twenty thousand pounds be issued, for the payment of the debts of the late Right Hon. *William Pitt*, Earl of *Chatham*; and to assure his Majesty, that the House would make good the same. The request was complied with, and included in the current services of the year.

The particulars of the public funeral, and other circumstances connected with it, as well as a number of papers concerning his Lordship's family, his character, the public monuments, &c. the reader will find in the Appendix B B.

There are some traits of his character, which are proper to be selected from the general eulogies, which are also in the Appendix. —

The

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Character
of Lord
Chatham.

The History of the Seven Years War, is the History of his Administration. The dread of his name, and the fame of his spirit, infused alarm and vigour into all the belligerent powers. He contended, therefore with all their force.

The American Congress of 1774, in their Address to the People of Great Britain, said, “ This war was rendered glorious by the abilities and integrity of a Minister, to whose efforts the British empire owes its safety and its fame.” The treaty of peace, which terminated that war, was a measure, which equally in the period of its execution, as well as in the terms of its construction met with his sincere and unalterable disapprobation—His grand and his favourite plans for humbling the *whole* House of Bourbon, for carrying the splendour and opulence of Great Britain to the highest degree of fame and wealth—were thereby frustrated and annihilated. The glory of the Minister, the honour of the Crown, the interest of the country, were all sacrificed to the revenge of a faction; which seemed to acquire protection from the court, and increase of numbers from the profligate, in proportion

tion to the increase of the enormity, and perfidy of their crimes.

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His efforts to preserve America, even to the latest moments of his life, indisputably manifest his high opinion of the importance of that great continent. In more than one conversation he said, America would prove a staff to support the aged arm of Britain—the Oak upon which she might hereafter recline, shaded and protected by filial duty and affection. But his Majesty's *confidential* advisers wanted to cut down this Oak, and to plant their favourite weed, *unconditional submission*, in its place. In another age it may be admitted, that the Patriot was prophetic; that the Parricide was apparent.

He was the first English Minister who armed the hardy race of the North. It is immaterial, whether he adopted the recommendation from the plan given in Chapter XIV;—the measure shewed the liberal and comprehensive judgment of the Statesman. The North has ever been propitious to conquest. The world has seen it in the present day, in the instance of Russia lately pouring her legions against the luxurious South—like

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—like the Goths against the Romans. He saw the advantage intuitively; and therefore brought this martial race of men from their cold abodes in the northern extremities of the island, and directed their ardour and fierceness against the enemies of his country.

In the exercise of his duty as a Minister, he was assiduous and incessant. He gave no hours to private or domestic interests. He had no levees, nor evening engagements: he devoted himself to the Public; and the nation possessed him entirely. His virtue and integrity were proverbial.

His whole study, his whole employment, his only attention, were the exaltation of his country, by the humiliation of her enemies. He grieved at the prohibition laid on the execution of his plans; and he died in an effort to preserve the dominion of a Continent, he had in part acquired, and would have wholly secured to the British name for ever.